[This Document is the Property of His Britannic Majesty's Government.]

Printed for the use of the Foreign Office.

CONFIDENTIAL.

(12298)

F.O. 413/65

F.O.

413

N

65

CLOSED UNTIL 1974

FURTHER CORRESPONDENCE

RESPECTING

MOROCCO.

PART 53.

JANUARY TO JUNE 1923.

F.O.413/

[This Document is the Property of His Britannic Majesty's Government.]

Printed for the use of the Foreign Office.

CONFIDENTIAL.

(12298)

FURTHER CORRESPONDENCE

RESPECTING

MOROCCO.

PART 53.

JANUARY TO JUNE 1923.

TABLE OF CONTENTS.

No.	No. and Name.	Date.	Subject.	Page.
	Chapter I.—THE TANGIER ZONE.			
	(a.) Future Status of Tangier.			
1	Sir E. Howard... ... **No. 198. Tel.**	1922 Dec. 31	In reply to enquiry, Minister for Foreign Affairs replied that no conversations respecting Morocco were going on between French and Spanish Governments. He asked for an assurance that His Majesty's Government would adhere to their decision to insist on a discussion *à trois*	1
2	To Sir E. Howard ... **No. 2. Tel.**	1923 Jan. 3	British promise not to negotiate except *à trois* holds good, and the perpetual suspicions of the Spanish Government are out of place	1
3	Sir E. Howard... ... **No. 62**	„ 30	Record of conversation with Minister for Foreign Affairs. Danger of indefinite postponement of the Tangier Conference	2
4	To Lord Crewe ... **No. 671**	Feb. 23	French Ambassador enquired whether His Majesty's Government were prepared now to undertake Tangier Conference. In reply to the objection that the French Government had done nothing to meet our views, the Ambassador said that he thought an intermediary solution could be found	3
5	Sir E. Howard... ... **No. 132**	Mar. 14	Conversation with Spanish Ambassador, who asked views of His Majesty's Government on the proposed Tangier Conference	4
6	To Mr. Phipps... .. **No. 953**	„ 15	Conversation with French Ambassador, who outlined French proposals for Tangier settlement. Lord Curzon offered to send in a few sentences his definition of internationalisation. Upon its acceptance or rejection would depend whether the conference could be held with advantage	5
7	Sir E. Howard... ... **No. 21. Tel.**	„ 20	Conversation with Minister for Foreign Affairs, who desired to be assured once more that His Majesty's Government were not initiating separate discussions with France	7
8	Sir E. Howard... ... **No. 22. Tel. Conf.**	„ 20	Urges that importunity of Minister for Foreign Affairs should be overlooked and the desired assurance given	7
9	To Sir E. Howard ... **No. 19. Tel.**	„ 23	Gives assurance required by Spanish Minister for Foreign Affairs	8
10	Lord Curzon to French Ambassador	„ 27	Forwards promised definition of internationalisation (see No. 6)	8
11	Memorandum by Sir Eyre Crowe	„ 28	Conversation with Spanish Ambassador, who was informerd of what had passed between Lord Curzon and the French Ambassador	8
12	Sir E. Howard... ... **No. 183**	„ 30	Conversation with Spanish Minister for Foreign Affairs, who received with pleasure Sir E. Howard's assurance that His Majesty's Government would not negotiate except *à trois*	9
13	Sir E. Howard... ... **No. 189**	„ 31	Requests authority to communicate definition of internationalisation handed to French Ambassador ...	11
14	To Sir E. Howard ... **No. 177**	Apr. 9	Grants desired authority (see No. 13)	11
15	Mr. Robertson ... ... **No. 119**	1923 Apr. 6	Conversation with M. Rober Raynaud, who urged early summoning of Tangier Conference or alternatively a preliminary discussion between the three Foreign Offices	11
16	To Sir E. Howard ... **No. 211**	„ 24	Conversation with Spanish Ambassador regarding mischievous articles in the "Times" by Mr. Walter Harris	13
17	Mr. Robertson ... ... **No. 135. V. Conf.**	„ 21	Conversation between Mr. Irwin and the Sultan's representative, who viewed with dismay the possibility of Tangier falling under French influence	14
18	To Lord Crewe ... **No. 1547**	May 2	Conversation with French Ambassador. M. Poincaré considers British formula too rigid, but believes that friendly conversations would lead to a compromise. The Ambassador suggested a meeting of three experts at Paris or even a reference to the League of Nations	14
19	To Sir E. Howard ... **No. 32. Tel.**	„ 25	French and British Governments have agreed to a meeting of experts in London to find an agreed basis of discussion for Tangier Conference. Spanish Government should be requested to nominate an expert ...	16
20	To French Ambassador	„ 25	His Majesty's Government accept French proposal for meeting of experts in London. His Majesty's Government have instructed His Majesty's Ambassador at Madrid to invite Spanish Government to nominate an expert	16
21	Sir E. Howard... ... **No. 317. Conf.**	„ 25	Conversation between Mr. Lloyd Thomas and the King of Spain. Latter stated that Spanish Government would support internationalisation	16
22	To Sir E. Howard ... **No. 269**	„ 29	Conversation with Spanish Ambassador, who enquired whether His Majesty's Government's acceptance of proposal for an experts' conference indicated a change of policy. He expressed himself satisfied with a negative assurance	17
23	Note by Sir Eyre Crowe	„ 31	Conversation with Spanish Ambassador regarding possibility of referring Tangier question to intervention of the League. He thought Spanish Government would oppose such a solution	18
24	Lord Crewe ... ... **No. 560a. Tel.**	June 4	M. Poincaré agrees that conference shall consist of one expert only from each country	18
25	Mr. Codrington to Mr. Villiers	„ 1	Conversation with M. Lalaurie, who expressed dismay at the choice of French advisers for the experts' conference	19
26	Mr. Gurney ... ... **No. 45. Tel.**	„ 7	Spanish Government accept proposal for experts' conference on condition that latter's functions are limited to preparing a basis of discussion	19
27	Mr. Gurney ... ... **No. 345**	„ 8	Transmits note upon which telegram No. 45 (No. 26) was based	20
28	Mr. Codrington ... **No. 199**	„ 6	Transmits memorandum by Mr. Irwin recording comments of Moors regarding proposed Tangier Conference	20
29	French Ambassador ...	„ 13	French Government have appointed M. de Beaumarchais as their expert	21
30	Spanish Ambassador to Sir Eyre Crowe	„ 14	Spanish expert will be the Marquis de la Torre Hermosa	21
31	Mr. Gurney ... ... **No. 48. Tel.**	„ 15	Spanish Government state that Spanish expert will be the Marquis de la Torre Hermosa	22

	No. and Name.	Date.	Subject.	Page
32	Sir Eyre Crowe to Spanish Ambassador	1923 June 18	British expert will be Mr. Arnold Robertson	22
33	Mr. Codrington ... **No. 205**	„ 12	Selection of M. Rober Raynaud has evoked criticism from the French colony. Indications show that French Government are determined, almost at any cost, to achieve a settlement	22
34	Mr. Gurney ... ... **No. 362a**	„ 16	Transmits note from Spanish Government stating that Spanish expert will be the Marquis de la Torre Hermosa	23
35	Mr. Robertson to Sir Eyre Crowe	„ 30	Report on first two meetings of experts' conference. Outline of French proposals	24

(b.) The Tangier Port Concession.

36	Mr. Milne, British Merchants' Morocco Association	1923 May 25	Requests information regarding the Tangier Port Company	26
37	Mr. Codrington ... **No. 185**	„ 25	Encloses a plan showing the scheme believed to have been submitted by M. Broquaire to the French Government, showing the scheme for port works	26
38	Mr. Codrington ... **No. 176. Conf.**	„ 17	Conversation with M. Lalaurie who thought that French Government were anxious for a settlement. He stated that French Government were considering new schemes for the port	27
39	Mr. Codrington ... **No. 177. Conf.**	„ 18	Conversation with M. Broquaire, who confirmed report that the French Government were considering a new scheme for the port works	28
40	Mr. Codrington ... **No. 206**	June 13	Forwards information on the Port Company requested by the Merchants' Morocco Association (see No. 36)...	29

(c.) Décanat of the Diplomatic Corps.

41	Sir E. Howard... ... **No. 61**	1923 Jan. 30	Conversation with Minister for Foreign Affairs, who offered to give M. Serrat leave in order to enable the Diplomatic Corps at Tangier to meet	30

(d.) Heads of Foreign Missions.

42	Mr. Robertson ... ... **No. 70**	1923 Feb. 24	Report on heads of foreign missions at Tangier	31

Chapter II.—THE FRENCH ZONE.

French Policy in French Zone.

43	Mr. Robertson ... ... **No. 30**	1923 Feb. 5	Transmits record of conversation between Mr. Heathcote-Smith and Marshal Lyautey on French policy in the protectorate	34
44	Mr. Robertson ... ... **No. 96**	Mar. 13	Transmits memorandum by Mr. Heathcote-Smith on the Grand Kaids in Southern Morocco	36

	No. and Name.	Date.	Subject.	Page.

Chapter III.—THE SPANISH ZONE.

(a.) Spanish Policy in Spanish Zone.

45	Sir E. Howard... ... **No. 835**	1922 Dec. 30	Report on the disquieting political situation arising from the failure of the Government to achieve a settlement in the Spanish zone	44
46	Sir E. Howard... ... **No. 44**	1923 Jan. 19	Transmits summary of a Royal decree suppressing the post of Commander-in-chief of the Spanish Army in Africa	45
47	Sir E. Howard... ... **No. 66**	„ 31	Reports the ransom and liberation of the Spanish prisoners of war captured in 1921 by the Riff rebels ...	47
48	Sir E. Howard... ... **No. 82**	Feb. 7	Report on political position in Spain and its effect on Spanish policy in Morocco	48

(b.) Claims of British Subjects and Protected Persons.

49	Sir E. Howard... ... **No. 93**	1923 Feb. 15	Encloses note from Spanish Government accepting views of His Majesty's Government as to the general procedure for the arbitration of the claims	49
50	To Sir E. Howard ... **No. 108**	„ 28	Transmits copy of a draft agreement regarding the arbitration to be signed by the Spanish Government...	52
51	To Mr. Robertson ... **No. 87**	Mar. 1	Enquires whether Spanish Government have made any effort to settle minor claims which they had offered to pay	53
52	To Sir M. Cheetham ... **No. 50**	„ 1	Spanish Government have agreed to accept M. Lardy as arbitrator. As soon as agreement has been signed by Spanish Government, M. Lardy should be approached in concert with Spanish Minister	53
53	Sir E. Howard... ... **No. 286**	„ 12	Encloses copy of a note from the Spanish Government proposing minor amendments to draft agreement ...	54
54	To Sir E. Howard ... **No. 27. Tel.**	„ 17	Concurs generally in proposed Spanish amendments and hopes that agreement will be reached and notes exchanged without delay	57
55	Sir E. Howard... ... **No. 41. Tel.**	May 29	Notes exchanged to-day	57
56	To Mr. Gurney... ... **No. 33. Tel.**	„ 30	His Majesty's Government are instructing His Majesty s Minister at Berne to approach M. Lardy. Spanish Government should send similar instructions ...	58
57	To Sir M. Cheetham ... **No. 16. Tel.**	„ 30	M. Lardy should be approached in concert with Spanish colleague	58
58	Sir E. Howard... ... **No. 329**	„ 29	Transmits copies of notes exchanged with Spanish Government providing for the arbitration of the British claims	58

Chapter IV.—CONSUMPTION DUTIES.

59	Foreign Office Memorandum	1923 Apr. 19	Memorandum on consumption duties in Morocco ...	65

Printed for the use of the Foreign Office.

CONFIDENTIAL.

Further Correspondence respecting Morocco.

PART 53.

CHAPTER I.—THE TANGIER ZONE.

(a.) Future Status of Tangier.

[W 1/1/28] No. 1.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received January* 1, 1923.)

(No. 198.)
(Telegraphic.) R. *Madrid, December* 31, 1922.

I ASKED Minister for Foreign Affairs yesterday whether there was any truth in reports in Madrid press that question of Tangier might be discussed during conversations respecting Morocco affairs now going on in Madrid between French and Spanish Governments. He replied that there was none; that he had already ordered a denial to be inserted; and that Spanish Government was as determined as His Majesty's Government to cling to programme of a discussion *à trois* regarding Tangier. Present Madrid discussions only referred to matters respecting two zones of Morocco, with regard to which co-operation between the two countries was very necessary. His Excellency then said he had noted in French press and in "Daily News" statements implying that Tangier question might be discussed in London at forthcoming inter-Allied meeting. I assured him that views of His Majesty's Government on this subject had not changed, and that they would certainly not engage in any discussion of the kind without Spain. I should be glad to give him an assurance in this sense from you. May I do so?

[W 1/1/28] No. 2.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 2.)
(Telegraphic.) *Foreign Office, January* 3, 1923.

YOUR telegram No. 198.

French Ambassador recently announced in conversation that his Government were anxious for early meeting of conference to settle Tangier question. (Despatch is on its way to you.) He was reminded that conference, which we had long desired, had so far to stand over owing to failure of French Government either to accept or to put forward reasonable basis of discussion. Once some common basis were found, a settlement should not be difficult. On the other hand, Secretary of State could hardly be expected to enter upon a fresh conference immediately after Lausanne, and question must therefore be deferred until he has had time to consider it on his return.

We cannot, of course, bind ourselves to abstain from ever pronouncing the Tangier question to the French, but our promise, several times repeated, not to negotiate settlement except in conference *à trois* holds equally good to-day as when it was originally given, and these perpetual suspicions of the Spanish Government are really out of place.

[W 1008/1/28] No. 3.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received February* 6.)

(No. 62.)

My Lord, *Madrid, January* 30, 1923.

I HAVE the honour to report that the Minister for Foreign Affairs, in continuation of the conversation reported in my immediately preceding despatch, spoke to me at some length yesterday morning about the prospects of the Tangier Conference. He said that he sincerely hoped that it might take place at an early date. I said that I had noticed that the Spanish Ambassador had recently, no doubt on instructions from his Excellency, made enquiries of Sir Eyre Crowe as to the probable convocation of the conference in London, and that Sir Eyre Crowe had replied that His Majesty's Government were as anxious as ever that the conference should be held, but that it was impossible to fix any date as long as the Lausanne Conference was in progress, and that after that it would certainly be necessary for your Lordship to have some rest before tackling another conference on so thorny a subject as Tangier. I said I felt sure that his Excellency would agree with this point of view, and he said that it was, indeed, quite reasonable.

He then went on to say that, while the Spanish Government, like that of His Britannic Majesty, had given assurances to France that they would not come to any previous agreement as to the line they would adopt at the conference, he thought that, as the interests of Spain and Great Britain were very largely in harmony in this matter, there might be some advantage in an informal previous discussion. Spain and England, he said, had no point of serious disagreement in this or in any other matter, and it seemed to him that they should work together, not only with regard to Tangier, but in many other matters of business and industrial development. England was Spain's best market for a number of raw materials, and Spain, on the other hand, needed English technical advice and capital for the development of her industries. He was most anxious to assist British financiers and technical experts in finding occupation in Spain, and along these lines he wished that there should be a close relationship between the two countries. He therefore thought that it would be advisable, as already stated, in order to prevent the Tangier Conference from sharing the fate of so many recent international conferences, that there should be some sort of general line of agreement arrived at between the two countries before the conference met.

I told his Excellency that His Majesty's Government had given exactly the same assurances to the French Government as to that of His Catholic Majesty in regard to any previous agreement with either before the conference took place, and that it seemed to me impossible to distinguish between coming to any distinct and definite agreement and any general one with regard to the lines of policy to be adopted at the conference. I felt sure, therefore, that, in view of the promises given to France, His Majesty's Government would not be able to enter into any previous discussions. His Excellency then asked me what line I thought His Majesty's Government would adopt during the conference. I said that we had never made any secret of our views respecting the future status of Tangier. They had always been from the first that the Tangier zone, while remaining under the sovereignty of the Sultan, should have a distinct international status, whereby the rights of all countries interested in Morocco should be safeguarded and free entrance into the Straits assured. We had never been able to accept the extreme Spanish point of view that the Tangier zone should become a part of the Spanish zone which surrounds it, but I felt certain that His Majesty's Government would give every consideration to the special position occupied by Spain in the Tangier zone on account of the numerical superiority of the Spanish inhabitants of that zone over other foreigners, in order that the rights of these Spanish inhabitants should be fully guaranteed, while maintaining the principle of the "open door" for the nationals of all countries. This was a point of view which I hoped that Spain would be able to accept. His Excellency, while stating that the Spanish Government would be obliged, in view of the immense interest taken in Tangier in this country, to put forward larger claims than this, did not deny that an international solution might prove ultimately acceptable, but he asked me whether it was the intention of His Majesty's Government to submit to the conference the agreement which was on the point of being signed by the three Governments in 1914, when the war broke out. I told him that I had not recently discussed this question with your Lordship, but that I believed that this had been the original intention of His Majesty's Government, and that, further, once this agreement had been reached between the three countries principally interested, it would be necessary to communicate it for approval to other countries signatories of the Act of Algeciras, who were also interested in the Tangier settlement. I said that his Excellency would no doubt have noticed that the United States of America had shown considerable interest in the matter, and had, indeed, protested at the same time as the Spanish and British Ambassadors at Paris against the recent concession of the port of Tangier. It would therefore be difficult, in my opinion, not to consult the United States with regard to the final settlement, and there were other countries, such as Italy, which were vitally interested in this point. His Excellency said that this was interesting to him, and appeared generally to agree with this point of view.

Finally, Don Santiago Alba reverted to the fear which seems to be entertained by all Spanish politicians that England may sooner or later, in order to get better terms from France with regard to the Near East or some other question, make a "deal" with her over Tangier. I told him that ever since I had come, every Spanish Minister for Foreign Affairs, from the Marqués de Lema on, had expressed this fear to me, and that I had on more than one occasion mentioned it to your Lordship; you had always told me categorically that the position of England in this matter had remained unchanged, and I knew that you took a great personal interest in the question. While it was impossible to say what any future British Government might do, I felt sure that as long as your Lordship was in office there could be no question of any such a "deal" as he seemed to fear. His Excellency thanked me for this explicit assurance, and went on to say that he only hoped, for the benefit of all parties, that the Tangier Conference might take place without too much delay.

In this connection, may I venture to support the views expressed by Mr. Robertson in his despatch No. 489 of the 16th December, respecting the danger of indefinite postponement of the Tangier Conference? All the parties interested are now urging an early settlement of the Tangier question, including the United States of America. We have told them that we are out for an international settlement, and if, as I understand, it is the intention of His Majesty's Government not to call the conference as long as M. Poincaré remains in office, and if, further, his term of office should be unduly extended, which seems not unlikely in present circumstances, I cannot but feel that, as Mr. Robertson says, we shall lay ourselves open to the charge of obstruction pure and simple, a charge of which the French will not be slow to take advantage. I have noticed that in the despatch addressed by the American agent and consul-general at Tangier to his Government, copy of which was enclosed in Mr. Robertson's despatch No. 490, Confidential, of the 20th December, Mr. Denning states that the French Chargé d'Affaires told him that France was expectantly awaiting an invitation from Great Britain to hold a conference with the Allied Powers to determine the future status of Tangier, and intimated that France would be willing to have that status international. There seems to me to be very little doubt that, if the invitation to hold a conference in London is indefinitely postponed, the French will make the utmost use of this in America, and endeavour to persuade the United States Government that we are for some sinister and secret object trying to put spokes in the wheel of a definite solution. They will no doubt make use of the same arguments both in Madrid and in Rome, where an early settlement is much desired. I cannot, therefore, but feel that, if we are not to lay ourselves open to the charge of obstruction which Mr. Robertson fears, it will be very advisable to let the French and Spanish, as well as the American, Governments know that as soon as your Lordship has had time to recover from the strain of Lausanne the Tangier Conference will be called to meet in London.

I have, &c.

ESME HOWARD.

[W 1474/1/28] No. 4.

The Marquess Curzon of Kedleston to the Marquess of Crewe (*Paris*).

(No. 671.)

My Lord, *Foreign Office, February* 23, 1923.

IN the course of a conversation this afternoon the French Ambassador asked me, on behalf of M. Poincaré, whether I was now prepared to undertake the conference on the Tangier question which had been so often contemplated and so often postponed during the past three years.

I pointed out to his Excellency in reply that the proposal had originally been mine, that I had repeatedly put it forward, only to be turned down by the French

Government, and that any delay that had occurred had arisen entirely from their action and not from mine. At last, after failing to induce M. Millerand, M. Leygues and M. Briand, largely owing to the influence of M. Berthelot, to deal with the question, I had persuaded M. Briand at Cannes a year ago to take it up with me in London. The next day M. Briand had fallen and I had then discussed the matter with M. Poincaré in Paris and had received a similar promise from him. A little later, however, when we sought to arrive by correspondence at a basis for the impending discussion, the French Government submitted a statement of their views, which were in our view of so impossible a character, that it was hopeless to proceed. Still later, Mr. Robertson, our representative at Tangier, had asked permission to have preliminary conversations with the French representative there, M. Carbonnel, believing that the basis of an understanding might be reached by these means. He too had had to report that the further they advanced the wider did the disagreement appear. We were, therefore, in the position that a conference was proposed, not only without any agreement, but apparently with an absolute divergence of views upon the fundamental principles of the solution to be sought. In these circumstances I could not but look forward to the holding of a conference with considerable apprehension and even dismay. The recent conference at Lausanne had given more than one shock to the *Entente* between France and Great Britain; a very severe strain was now being placed upon it by what was passing in the Ruhr; and if I were now to preside over a conference about Tangier, and that conference was to separate almost immediately because France and ourselves were hopelessly at variance, I could not help thinking that a very severe blow would be given to the friendly relations between France and ourselves. In these circumstances, willing as I was to undertake a conference, I must decline to do so unless a basis of agreement was arrived at in advance upon which we could proceed.

His Excellency asked me what I had in view, and proceeded to say that any guarantees—economic, strategical or otherwise—for British interests that we might require, the French Government would be only too glad to give.

I reminded him that this ancient formula, having been repeated at every meeting for the last three years, had ceased to have any charms, at least for me, because it was wholly irrelevant to the issue that we were now discussing. We were not seeking guarantees for British interests *per se*. What we wanted were guarantees for the future administration of the town and zone, and the only basis upon which I was prepared to proceed was the acknowledgment of a system of international administration, as agreed upon between France, Spain and ourselves in 1914, and only dropped owing to the outbreak of the war. Upon that point the French, having abandoned their old position, had ever since proved to be in complete divergence from ourselves, and until we could come together on common ground in this respect I did not see what good there was in meeting.

The Ambassador replied that he thought an intermediary solution could without difficulty be found between the somewhat too rigid ideas to which the British Government had given expression since 1914, and the extreme views on the other side which had emanated from the Quai d'Orsay, and with which he was not wholly in agreement.

To this I retorted that as it appeared to me to be one of the main functions of Ambassadors to devise intermediary solutions, I should await with interest any experiment of his Excellency in that direction. In the meantime he said he would report our conversation to Paris and would speak again to me on the subject at a later date.

I am, &c.
CURZON OF KEDLESTON.

[W 1988/1/28] No. 5.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 132.)
Sir, *Foreign Office, March* 14, 1923.

THE Spanish Ambassador came to see me this afternoon with regard to the suggested conference about Tangier. He explained to me that he was now representing a new Government in Spain, the Foreign Minister of which, though a man of distinction, had had no previous experience with foreign affairs, and was, therefore, to a large extent ignorant both of the earlier history and of the exact dimensions of the problems with which he was called upon to deal.

It might be, therefore, that for a time, at any rate, his questions or observations would be somewhat lacking in relevancy and knowledge. The Minister, for instance, was anxious to know what was the meaning of my insistence at Paris that, before taking part in the conference, a basis of agreement must be arrived at between France and Great Britain, that basis being, as I had laid down, the acceptance of the broad principle of internationalisation for the future administration of Tangier.

Did this mean that the conference was to meet in order to register a decision already arrived at? Was such decision to be a matter of agreement between France and Great Britain alone? And was Spain only to be invited as an outsider to the table?

I replied to his Excellency that no one knew better than himself that such was not in the least my intention. The reason for insisting upon some basis of discussion was in order that the conference should not, owing to fundamental disagreement of principle, break down almost as soon as it had met; and the reason for laying down internationalisation as the principle was that this was the stage which the three Powers had reached in common at the beginning of the war, and upon which alone was it possible to build up a new settlement for the future.

His Excellency shared my views on both these points and thought he would have little difficulty in explaining them to his chief.

He then proceeded to ask whether it was my idea that the American Government, who had shown some interest in the harbour question at Tangier, should also be invited to sit at the conference table.

I replied in the negative, saying that I adhered to the views which I had frequently expressed during the past three years, which had been made public, and which, so far as I knew, had never been contested by any other Power, that the question was one primarily for the three Governments to which I have referred, but I thought that this would not preclude either our conclusions, if such were arrived at, from being communicated to the other Powers, or the American and other interested Governments from having their say in the question of the harbour and analogous issues.

The Ambassador then asked whether the conclusion of the conference would be submitted to the outside Powers for their approval, or whether the procedure would be to inform them of our decisions with a view to their taking cognisance of them.

I said that the matter was one which I had not fully considered, and upon which I should not like to give a definite answer, but that my inclination was to communicate any agreement at which we might arrive to the signatory Powers of the Act of Algeciras, not with a view to the case being reopened by them, but with a view to informing them of what we proposed. Further than this I thought it unwise for the moment to proceed.

I am, &c.
CURZON OF KEDLESTON.

[W 2005/1/28] No. 6.

The Marquess Curzon of Kedleston to Mr. Phipps (Paris).

(No. 953.)
Sir, *Foreign Office, March* 15, 1923.

THE French Ambassador asked to see me to-day and confined his observations to two subjects, namely, the impending discussion with French and Italian experts on the new terms proposed by the Turkish Government, and the contemplated tripartite conference on Tangier.

As regards the former, I expressed some surprise that M. Poincaré had thought fit to communicate to the French newspapers, before returning any reply to my official invitation, that he proposed to depute M. Bompard and Admiral Lacaze, and I said I had additional reason to complain because he had also communicated to the French press the idea, which was telegraphed to the "Times" this morning, but which was without any foundation, that he was sending his representatives to London in consequence of my illness, and out of consideration for my convenience.

I said that I was almost reduced to despair by the now habitual tactics of the Quai d'Orsay, for which there was really no excuse, and which, in the present case, could only have been devised to suggest that the conversations would naturally have

been held in Paris and would only take place in London as an act of courtesy on the part of the French Prime Minister.

The Ambassador had nothing to say, nor was there anything to be said in reply to this protest. To the question when I proposed that the meeting should set to work, I replied "On Wednesday next." The Italians had also accepted our invitation, and I thought it ought to be possible within the time between the 21st March and Easter to complete the work here with a view to starting further conversations at Constantinople with as little delay as possible.

The Ambassador then turned to the question of Tangier, in which he brought me, or affected to bring me, the reply of the French Government to the condition that I had laid down as essential to the meeting of the conference, namely, that the three Powers concerned should proceed upon the basis of an International administration for Tangier.

His Excellency informed me that M. Poincaré was quite prepared to receive my views on the matter, to which he would in due course reply. This, I answered, was not at all what I had proposed.

We had had, I thought, enough of correspondence, and the British view had more than once been clearly stated. It might be summed up in a sentence. We desire to start again from the point at which the negotiations had been suspended by the action of Spain in 1914. This was an obligation from which the French Government could not honourably escape, for when we had recognised their protectorate in Morocco, this was part of a bargain in which their acceptance of an International administration at Tangier had played a part, and it was only as a special favour to them, and on the distinct understanding that the latter promise would be fulfilled, that we had consented to grant independently the recognition of the French protectorate. I was doing, therefore, no more than calling upon the French to fulfil a definite undertaking. Further, when I spoke of an International administration, what I meant was this, that while the Sultan would, no doubt, be represented by a special Khalifa in the Tangier zone, just as he was in the Spanish zone, and just as he himself resided in the French zone, so an effective administration in the Tangier zone would be exercised by the municipality, just as it was by the Spanish in the Spanish, and the French in the French, zones. The manner in which the members of the municipal administration would be elected, the Powers whom they would represent, the functions which they would exercise, and their exact relations with a representative of the Moorish Government, would be matters for discussion at the impending conference, but unless it was clearly understood that the basic position was as I have described, it appeared to me that it was no use having the conference at all.

The Comte de Saint-Aulaire then went on to explain the French conception of the phrase, which appeared to be this: that the international administration at Tangier would be free and uncontrolled in all respects affecting foreigners, but that in matters concerning the native population and native property the Sultan, through his representative, would be supreme.

I expressed considerable doubt as to whether this might not mean an interference with the municipal administration, which would render the powers of the latter quite nugatory, and I was not pacified by the assurance that no more was being asked of the Sultan in Tangier than, as the Ambassador assured me, was already conceded by the French in the French zone in Morocco, for, to put it bluntly, I argued that, as the Sultan was completely in the hands of the French, and had to do exactly what they pleased, we might find that whereas the object of internationalisation was to prevent the ascendency of any particular Power, the interference with the Sultan would, in reality, mean the hegemony of France.

To this the Ambassador replied that matters were changing in Morocco, that the Sultan was no longer the puppet he had been, and that a time would shortly arrive when he would acquire something like independence.

This prognostication, I feared, left me cold; and although the Ambassador, in the course of his conversation, at one moment did say on behalf of his Government that the principle of International administration was accepted by them, I yet felt that the case was left in sufficient obscurity to render a breakdown of the conference more than probable.

To bring matters to a head, I accordingly offered to send to the Ambassador in a communication, official or otherwise, my own definition in a few sentences of what I meant by internationalisation. This he could communicate to M. Poincaré, and upon its acceptance, or rejection, would depend whether the conference could, or could not, be held with advantage.

In leaving the room, the Ambassador asked me whether there was any truth in the rumour which had reached him of an impending agreement, or treaty, of some description, between Great Britain and the Kingdom of Denmark. I replied that this was the first I had heard of it.

I am, &c.
CURZON OF KEDLESTON.

[W 2153/1/28] No. 7.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received March* 21.)

(No. 21.)
(Telegraphic.) R. *Madrid, March* 20, 1923.

MY despatch No. 161.

Minister for Foreign Affairs asked me to-day if I had seen article in "Temps" reporting interview with him. I said that I had seen notices in Spanish press. He said "Temps" correspondent had reported what he had said in a rather tendencious manner, and especially that it was untrue that he had ever expressed any willingness to take part in a conference on Tangier in Paris. On the contrary, he said that he objected to Paris, though he would not mind Algeciras or of course London. Please tell your Governement, he added, that all I want is to go to London and co-operate with England. Then he said he had heard that there had been some recent conversations between His Majesty's Government and French Government as to basis of discussion for conference, and asked me if I knew of anything of this sort. At first I did not remember anything, but afterwards your despatch No. 671 to His Majesty's Ambassador, Paris, occurred to me, and I told him that I believed you had had a conversation with French Ambassador, who wanted to know when conference would take place, and that you had told him that until French Government had some plan more approaching His Majesty's Government's views as to future of Tangier than that they submitted last July it seemed courting failure to start conference.

His Excellency again emphasised extreme importance to Spain of not being left out of any conversations that might take place, and his own anxiety to co-operate with His Majesty's Government. He asked me to enquire whether anything more had passed between His Majesty's Government and French Government, and requested that he might be kept informed of anything that passed. He asked me to telegraph this and to communicate your reply to him. I said that I would do so, but that he might rest assured that His Majesty's Government would not come to any separate arrangement or discuss question separately with French Government.

[W 2154/1/28] No. 8.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received March* 21.)

(No. 22. Confidential.)
(Telegraphic.) *Madrid, March* 20, 1923.

MY immediately preceding telegram.

I should be very grateful if you, overlooking importunities of Minister for Foreign Affairs in the matter, would give me a message for him confirming assurances which I believe he wanted passed on to King of Spain, who had, I gather, been expressing to his Excellency his usual fears that Spain would be left in the lurch.

Since his Excellency seems really anxious to settle outstanding questions (*e.g.*, Morocco claim and other minor matters) and shows himself generally friendly, it will be worth our while to help him in this matter by giving him a satisfactory message to communicate to the King. I have heard that His Majesty does not greatly appreciate him, and that it might help him if he could satisfy His Majesty over this matter.

[W 2154/1/28] No. 9.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 19.)
(Telegraphic.) *Foreign Office, March* 23, 1923.

YOUR telegram No. 22 of 20th March.

You are authorised to repeat to Minister for Foreign Affairs the formal assurances which His Majesty's Government have given so many times previously that they will not negotiate a Tangier settlement except *à trois*. You should, at the same time, make it clear that His Majesty's Government regard these perpetual and unfounded suspicions of their good faith as neither merited nor very friendly, and that I personally resent them.

I trust that an intimation of this nature will have the effect of putting a stop for good and all to the Spanish Government's incessant requests for formal assurances on this point.

[W 2238/1/28] No. 10.

The Marquess Curzon of Kedleston to Count de Saint-Aulaire.

My dear Ambassador, *Foreign Office, March* 27, 1923.

YOU will recollect that, in the conversation which I had the honour to hold with your Excellency on the 15th instant, I undertook to forward to you a statement setting forth in a few sentences my own definition of what His Majesty's Government mean by the internationalisation of Tangier. Such a statement I now enclose.

His Majesty's Government regard the conditions here laid down as essential to any system of genuine international administration, as agreed upon in 1914 by France, Spain and Great Britain.

Believe me, &c.
CURZON OF KEDLESTON.

Enclosure in No. 10.

Memorandum respecting Tangier.

BY "internationalisation of Tangier" His Majesty's Government understand the creation of an international body for the administration of the town and district of Tangier. This international body, the control of which will be in the hands of the principal interested Powers, shall occupy a position towards the Sultan of Morocco and the French Protectorate Administration at Rabat analogous to that occupied by the Spanish Administration in the Spanish zone of Morocco. The authority of this international body shall extend to all inhabitants of the Tangier zone alike, whether native or foreign.

The Sultan's authority at Tangier shall be exercised through a Khalifa, whose position and powers shall be similar to those of the Sultan's Khalifa in the Spanish zone. Morocco will be thus divided into three zones with separate and autonomous Administrations, independent of each other, but all three under the sovereignty of the Sultan, exercised respectively on the advice of (*a*) France, (*b*) Spain and (*c*) the international authority to be established at Tangier.

Foreign Office, March 27, 1923.

[W 2422/1/28] No. 11.

Memorandum by Sir Eyre Crowe.

THE Spanish Ambassador called upon me to-day in order to speak again about the Tangier question. He said his Government considered that we ought to know of the continued efforts made by M. Poincaré to misrepresent to them the views and attitude of His Majesty's Government. M. Poincaré had recently informed the Spanish Ambassador in Paris that Lord Curzon's suggestion for a preliminary

understanding as to the basis of discussion for the proposed conference in London, was in reality only another pretext for shelving the conference altogether, which he represented was the policy of the British Government.

M. Merry del Val said he knew very well, from what Lord Curzon himself had recently told him, what had been the nature of his communication to the Comte de Saint-Aulaire, to which M. Poincaré clearly referred. He could not for a moment believe that the entirely reasonable proposition put forward by Lord Curzon could, in honesty, be interpreted in the way M. Poincaré now did; and the instruction of the Spanish Government, on which he was now speaking to me, was not so much to ask for any further explanation of our intentions, as to let us know how M. Poincaré was apparently taking advantage of anything said here to sow distrust at Madrid. M. Poincaré had added, in his conversation with the Spanish Ambassador in Paris, that Lord Curzon had promised to communicate to the French Government proposals for discussion at the conference contemplated. So far as the French Government were concerned, they had no intention of departing a jot from the declarations they had already made, or to give up any of their claims or contentions as regards the future régime for Tangier. They were determined to uphold the principle of the Sultan's absolute sovereignty over Tangier. This had been made clear in all their detailed communications, by which the French continued to stand.

I reminded the Ambassador that the communications and plans to which M. Poincaré referred were found to be so completely at variance with the principle of the internationalisation of Tangier, that we had, at the outset, declared that on their basis no agreement could possibly be arrived at. We had placed before the French Government clear evidence of their commitments to us and to Spain on this point of internationalisation; and when recently Lord Curzon had insisted on the recognition of this principle by France as the indispensable condition of any conference doing useful work, he had, in answer to an observation of the Ambassador, declared his readiness to express in one or two sentences exactly what was meant by internationalisation. It must have been this remark of Lord Curzon to which M. Poincaré was now trying to give the appearance of a promise to submit a definite plan for consideration by the conference. It was nothing of the kind, and I promised that, if and when Lord Curzon should decide to hand to the Comte de Saint-Aulaire such a definition of the term internationalisation as he had suggested, I would gladly give M. Merry del Val a copy of it.

The Ambassador, in thanking me, replied that this was not needed to convince him of the fact that M. Poincaré had, as usual, entirely misrepresented the facts.

I took this opportunity of informing the Ambassador of the instructions telegraphed to Sir Esmé Howard on the 23rd March in Lord Curzon's telegram No. 19, and begged him to convey to his Minister for Foreign Affairs that he ought to put an end to the constant interpellations, in which the Spanish Foreign Office were indulging, as to our good faith in observing the undertaking so repeatedly given that, in this question of Tangier, we should not negotiate with France separately from Spain. The Ambassador said he was very glad I had mentioned the matter to him, and that, if Sir E. Howard delivered his message, as he felt sure he would, in a tactful way, it would only do good. The present Minister for Foreign Affairs was entirely new to office, and had no previous political or diplomatic experience. It would be a good thing that he should understand that the traditional close understanding between the Spanish and British Governments was an absolute and sufficient guarantee that there could be no foundation for such apprehensions as he seems to have entertained.

E. A. C.

Foreign Office, March 28, 1923.

[W 2495/1/28] No. 12.

Sir E. Howard to the Marquess Curzon of Kedleston.—(Received April 3.)

(No. 183.)
My Lord, *Madrid, March* 30, 1923.

I WAS not able, up to Wednesday last, to see the Minister for Foreign Affairs in order to deliver to him the message contained in your Lordship's telegram No. 19 of the 23rd instant.

At an interview I had on Wednesday morning, however, I repeated to his Excellency the formal assurances that His Majesty's Government would not negotiate a Tangier settlement except *à trois*.

His Excellency expressed great satisfaction at this message, which satisfaction I do not doubt was sincere. I then delivered the second of your Lordship's messages, telling him that it appeared to His Majesty's Government that these repeated requests for assurances implied a certain suspicion and reflection on their good faith and that your Lordship also seemed "de s'en ressentir personnellement." His Excellency took this in very good part, saying that nothing was further from his mind, and that he had always entertained the highest opinion of the reliabilty and straightforwardness of the English character. At the same time he hoped that your Lordship would understand that, as he had heard that there had been conversations between your Lordship and the Comte de Saint-Aulaire respecting the bases of discussion for a Tangier Conference, it was impossible for him not to make enquiries as to what had passed. He therefore naturally turned first to your Lordship for enlightenment as to the attitude of His Majesty's Government. As your Lordship had sent me by post your despatches to me No. 132 of the 14th instant and No. 139 of the 20th instant, containing conversation relative to Tangier with the Spanish Ambassador and the French Ambassador in London respectively, it seemed to me that they could not be considered as especially confidential. I therefore translated to him textually your despatch No. 132, omitting the first paragraph and the first sentence of the second paragraph, in which the Spanish Ambassador is reported to have made some observations about his chief. I went on to give him a summary of the latter part of your despatch No. 953 to Paris (enclosed in your Lordship's despatch No. 139 above referred to), particularly emphasising your remark that the British view had more than once been clearly stated, and that it might be summed up in a sentence, namely, that His Majesty's Government desired to start again from the point at which the negotiations had been suspended in 1914, and, finally, that in your opinion it was necessary, unless the conference was destined to fail from the start, that it should be clearly understood that this was the basic position with regard to it. His Excellency thanked me very much for these communications, and stated that he quite agreed that it was necessary that there should be some common bases of discussion before the conference met, and that although your basis did not fully meet the Spanish point of view, which, as I knew, demanded the incorporation in the Spanish zone of the Tangier zone, he understood that unless both Spain and France abated their extreme claims there could be no settlement. He would therefore be quite ready at any time to discuss these bases, and he gave me to understand, though he would not positively commit himself, that there would be no real difficulty for the Spanish Government in accepting the draft settlement of 1914 as the basis of the conference. He then said that the French Ambassador here had informed him that the French Government were now waiting a reply from His Majesty's Government to a note of December 1921 submitting their proposals for the Tangier settlement. He read me a letter in Spanish which he had sent to the French Ambassador, asking whether it was really to a note of December 1921 that the French Government were awaiting a reply, and not to some later note of theirs.

He repeated, on my leaving, the assurance of his desire to co-operate in every way with His Majesty's Government. He has already more than once given proof of his goodwill in settling, in a comparatively short time, one or two matters respecting which, under most Spanish Governments, it would have taken months to get an answer. I should therefore be grateful if I can be allowed to inform him from time to time of any further conversations or developments that may take place in London or Paris respecting Tangier, so as to prevent his feeling that he is being left out in the cold.

I have, &c
ESME HOWARD.

P.S.—It is clear that the note of December 1921 above referred to is the note of the 15th December, 1921, from M. Briand to Lord Hardinge, forwarded to the Foreign Office in Sir M. Cheetham's despatch No. 3526 of the 16th December, 1921.

E. H.

[**W 2499/1/28**] No. 13.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received April* 3.)

(No. 189.)
My Lord, *Madrid, March* 31, 1923.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 163 of the 28th March enclosing copy of a letter to the French Ambassador and a statement setting forth your Lordship's definition of what His Majesty's Government means by the internationalisation of Tangier.

I should be glad to receive your Lordship's authorisation to communicate this statement to the Spanish Minister for Foreign Affairs.

I have, &c.
ESME HOWARD.

[**W 2499/1/28**] No. 14.

The Marquess Curzon of Kedleston to Sir E. Howard (*Madrid*).

(No. 177.)
Your Excellency, *Foreign Office, April* 9, 1923.

I HAVE received your Excellency's despatch No. 189 of the 31st ultimo requesting authorisation to communicate to the Spanish Minister for Foreign Affairs a copy of the statement setting forth my definition of what His Majesty's Government mean by the "internationalisation of Tangier."

2. A copy of the statement has been sent to the Spanish Ambassador in London. I have, of course, no objection to your communicating the statement to Señor Alba should you desire to do so.

I am, &c.
CURZON OF KEDLESTON.

[**W 2758/1/28**] No. 15.

Mr. Robertson to the Marquess Curzon of Kedleston.—(*Received April* 12.)

(No. 119.)
My Lord, *Tangier, April* 6, 1923.

I HAVE the honour to report that M. Rober Raynaud, accompanied by Mr. W. B. Harris, came to see me yesterday to urge upon me the extreme desirability of an early settlement of the Tangier question. I do not know what exact weight M. Rober Raynaud, a journalist, carries in French official circles, but there can be no doubt that he is extremely well-informed, nor that he constantly sees every paper of importance regarding the Tangier question. The French proposals of the 15th December, 1921, were, as your Lordship is aware, practically drafted by him (see Mr. Clark Kerr's despatch No. 534 of the 20th October, 1920) and he evidently wishes me to understand that he is in very close touch with the Quai d'Orsay and entirely familiar with their views.

2. He somewhat surprised me by telling me that the postponement of the port adjudication had been a genuine *beau geste* on the part of M. Poincaré in reply to Lord Hardinge's appeal. It was true that there had, at one moment, been financial difficulties, but these had been cleared out of the way a week or two before the 9th November and none existed when M. Poincaré decided to postpone the adjudication in defiance of the views of his subordinates and of formal promises which had been given to the Moors. The French Government had been considerably disappointed that we had not appreciated the action of the President of the Council and come forward with proposals for a discussion or a statement of our wishes. I remarked that M. Poincaré's note of the 6th November, 1922, had very successfully concealed his desire to be agreeable to us and that His Majesty's Government could hardly be blamed if, in the

light of it, they interpreted the postponement as a very grudging concession, wrung from the French Government by purely financial considerations of a temporary character which, it was expected, would soon be removed. In the circumstances it did not seem to His Majesty's Government that it would serve any useful purpose for them to come forward with proposals of any kind. M. Rober Raynaud freely admitted the force of this contention and said that M. Poincaré unfortunately suffered from a kind of *fausse pudeur*, which made him appear ungracious. This was partly attributable to his fear of attacks in Parliament and in the press on account of his having once more made concessions to Great Britain. In point of fact he was always looking for opportunities of removing thorns from the flesh of his British friends, and was genuinely pleased when he could do so, but he was sensitive about being caught in the act. I contented myself with observing that he had certainly succeeded in dissembling his love, and that His Majesty's Government must be pardoned if they too had been taken in.

3. On the general question of the future status of Tangier, M. Rober Raynaud informed me that the French Government felt that they had a genuine grievance. They had put forward proposals of their own long ago which had been summarily rejected by His Majesty's Government, who had, however, not given any indication of what their own proposals were. The desire of His Majesty's Government to avoid holding yet another conference which might fail was fully appreciated, but were His Majesty's Government not unduly pessimistic? At present the French Government were inclined to the view that the British Government did not wish to have the question settled and that they intended, therefore, to adopt an attitude of pure obstruction. Otherwise they would surely have taken some steps to let their views be known to the French and Spanish Governments. The latter were also pressing for a conference.

4. I endeavoured to disabuse M. Rober Raynaud's mind of the idea that His Majesty's Government did not wish to have the question settled and pointed out to him that it was, after all, perfectly well known that we differed fundamentally as to the basis on which the conference should take place. His Majesty's Government insisted on a genuine international status for Tangier and its zone; the French Government were only prepared to concede an international municipality with purely municipal powers. In these circumstances a conference was bound to fail. M. Rober Raynaud was not prepared to admit that our differences were so clearly defined and argued that, after all, the object of negotiators must be to reach an agreement. If His Majesty's Government were alarmed at the idea of an open conference, why not have an informal discussion first between the representatives of the three Foreign Offices to see if we really were so far apart? It was impossible to allow the present position to continue, and the French Government were being hard pressed at home and in Morocco to bring about a settlement.

5. A desultory and informal discussion of details then ensued with which I need not now trouble your Lordship. The outstanding feature of the conversation, to my mind, was that it confirmed my conviction that the French Government are now anxious for a meeting, and that it would be bad policy on our part to continue to refuse. An informal discussion of the nature indicated by M. Rober Raynaud might meet the case, and at any rate clear us of the charge of obstruction. It is not unlikely that this suggestion may be put forward by the French Ambassador, and I would earnestly beg your Lordship to give it careful and sympathetic consideration. The French Government feel that they lost prestige with the Moors when they postponed the port adjudication. This was interpreted as a sign of weakness and it has even been stated that the French Government gave way to a British ultimatum. The French Government cannot allow this impression to remain and, if we do not enter into conversations of some sort, they will, in defence of their own prestige, have to take steps here which may easily bring about the final break-up of the *Entente* and gravely compromise British interests. The adjudication of the port would become a practical certainty, and it is by no means out of the question that we might suddenly be confronted by a dahir granting a statute to Tangier.

I have, &c.
ARNOLD ROBERTSON.

[W 3092/1/28] No. 16.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 211.)

Sir, *Foreign Office, April 24, 1923.*

I TRANSMIT herewith, for your excellency's information, a record of a conversation between Sir E. Crowe and the Spanish Ambassador regarding an article recently published in the "Times" by their Tangier correspondent, and the systematic efforts of the French Government to misrepresent at Madrid the attitude of His Majesty's Government towards the Tangier question.

I am, &c.
CURZON OF KEDLESTON.

Enclosure in No. 16.

Minute by Sir Eyre Crowe.

THE Spanish Ambassador called on me yesterday in order to speak about the letter which appeared in the "Times" on the 13th April from their correspondent at Tangier. He said that his Government, knowing the personality and idiosyncrasies of Mr. Harris of Tangier, were not surprised at seeing him continue the rôle of advocate of French contentions, or at his gross perversion of facts. But they hoped that the British Government would take some steps, either by public declaration or a *démenti*, to counteract the mischievous effects of Mr. Harris's letter. I said we shared the estimate of Mr. Harris's activities which had evidently been formed by the Spanish Minister for Foreign Affairs, but I did not think anything could be gained by our entering into a controversy with the "Times" or their correspondent. In all well-informed circles the position was perfectly well understood.

The Ambassador had evidently expected such a reply. He said that he thought it would be well for us to know that the French Government, apart from inspiring Mr. Harris, were active in systematically misrepresenting the attitude of the British Government through the mouth of their Ambassador at Madrid. The latter had recently informed the Spanish Minister for Foreign Affairs that the formula which Lord Curzon had, a short time ago, presented to Comte de Saint-Aulaire revealed the determination of the British Government to wreck any plan of a Tangier conference. What the French Government had expected, and had every right to expect, because Lord Curzon had formally promised it, was a statement of detailed counter-proposals in answer to the general plan of a Tangier settlement, which the French Government had long ago communicated to the British Government in writing. Instead of this, they now presented this entirely inadequate formula, which was quite unacceptable to the French Government, because it violated the most essential principle on which France had always insisted, namely, the Sultan's full sovereignty.

I reminded the Ambassador that I had, on successive occasions, kept him fully and precisely informed of our attitude and of our communications with the French Government. He was therefore aware that, so far from our having ever promised detailed counter-proposals to France, we had consistently refused to enter into any discussion with France on her project, for the reason that we considered ourselves bound by our pledge not to conduct any discussions except *à trois*. It is true that we had declared the whole basis on which the French project rested as a repudiation of France's solemn engagement to introduce a system of international administation in the Tangier zone, and that, in order to make our position on this point quite clear, Lord Curzon had recently handed to Comte de Saint-Aulaire a definition of what the British Government understood by the term "internationalisation." As I had communicated a copy of this definition to his Excellency at the time, and had shown him the correspondence which had passed between us and Paris, I felt sure that the Spanish Government were in a position, not only to take the statements of the French Ambassador at Madrid at their real value, but to controvert them effectively if they desired to do so.

M. Merry del Val agreed that I had given a perfectly correct account of the position, and said he would again explain it to his Government.

E. A. C.

Foreign Office, April 19, 1923.

[W 3295/1/28] No. 17.

Mr. Robertson to the Marquess Curzon of Kedleston.—(Received April 30.)

(No. 135. Very Confidential.)
My Lord, *Tangier, April 21, 1923.*

MR. IRVIN informs me that during a conversation he has recently held with the Sultan's representative here his Excellency reverted to the Tangier question and expressed the general feeling of pessimism at the delay in reaching a settlement regarding its future status.

2. His Excellency added that should the settlement not be on the lines of the British proposals it would be a merciful act to put the Moors out of their misery beforehand, as they have no misgivings regarding their ultimate fate if Tangier is to fall under the régime in force in another part of the country.

3. Other influential Moors have spoken in the same sense, and there can be little doubt that practically all those who are not bound to the French envisage the possibility of Tangier falling under French influence with the greatest dismay. Their one desire is for an early settlement on international lines.

4. His Excellency also informed Mr. Irwin, in strict confidence, that when he was offered the post of Sultan's representative here in 1913 he was assured that the appointment was purely temporary, and that it would very shortly be followed by his designation as Khalifa at Tangier.

I have, &c.
ARNOLD ROBERTSON.

[E 4473/35/44] No. 18.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 1547.)
My Lord, *Foreign Office, May 2, 1923.*

THE French Ambassador came to me this afternoon with a telegram from M. Poincaré in which the latter asked me to join him in protesting to the Turkish Government against the alleged despatch of large Turkish forces in the direction of Syria as involving a distinct menace to the *Entente* and a threat to the maintenance of peace. M. Poincaré was sending reinforcements of troops in that direction and he thought it would be a good thing if the Turks realised that the British Government were prepared to take similar action.

I replied that I could not help being amused at this appeal from M. Poincaré. I recalled very well how, when I went over to Paris in the autumn of last year and appealed to M. Poincaré to strengthen the Allied position in Constantinople and the Straits, he replied to me over and over again, "Not a man." I recalled also how, when I pressed him to say what the French Government would do if the Mudania Convention were violated, and if the Turks forced their way into the neutral zones and embarked upon hostilities, he more than once replied, "Not a cartridge, not a shot." Here was the same M. Poincaré now not only sending the reinforcements, but threatening the cartridges and the shots, and inviting me to participate in the operation which he had so vehemently repudiated only six months ago.

While I did not desire to criticise the conduct of the French Government, and while I thought it might be even helpful in bringing the Turks to an understanding of the realities of the situation, I did not feel disposed to take part in a joint representation until the military menace, which was apparently directed against Syria, was applied to the frontiers of Irak, for which Great Britain was more directly responsible. In that case, I should not ask the French Government to join me in protesting to the Turks; I should do it on my own account.

I thought, indeed, that the French protest was more likely to be successful if it was made independently. The real place for joint action was at Lausanne. It was only because there had not been that joint action in the concluding stages in February last that the treaty had broken down. I was still pursuing the policy which I had adopted then. The French might rely upon His Majesty's Government to do all in their power to present a united front at Lausanne, but I did not see any occasion at the present moment for the joint representation to Angora which his Excellency had suggested.

He then passed on to say a few words about the question of Tangier. M. Poincaré had examined the formula which I had submitted with regard to the future internationalisation of the Tangier port and zone as the basic principle upon which the proposed conference between Great Britain, France and Spain should be held. M. Poincaré objected to this formula as involving too rigid a definition, and urged me most strongly not to persist in putting it forward, but to go into a conference in the general belief that we were not so widely separated as might seem the case, and that as the result of friendly conversations an agreement could be arrived at.

I replied that I saw nothing to justify this confidence. During the last three years I had made repeated efforts, both in correspondence with Paris, in personal conversations and in conversations between our respective representatives at Tangier, to arrive at the basis of an understanding between the French Government and ourselves. On each occasion these attempts had ended in complete failure, and, for my part, I had no idea of presiding over a conference here, which in three or four days from its commencement might break down because of an irreconcilable divergence of views on the main principle involved, thereby inflicting what might be a very serious blow to the *Entente* itself.

We already had trouble enough about the Ruhr. That, I hoped, we might survive, but if on top of the Ruhr we were to hold an abortive conference about Tangier, I should view the consequences with great apprehension. The conference was not one which I had sought. British interests in the matter were not as great as those of France, or of Spain, but I had volunteered my services because I understood that they were desired by both parties, and because there were definite British interests which, even if they might be inferior to those of the two other countries, were yet considerable. But I could not be responsible for courting certain failure, and if the conference did not take place the blame would not be mine.

The Ambassador thereupon reiterated what he had said a dozen times in previous conversations, that he did not see the slightest reason why an agreement should not be arrived at, or where there was any irreconcilable difference.

As soon as, however, he mentioned the French claim for the uncontested authority of the Sultan over the native population in Tangier, I reminded him that here was a point which, if I interpreted it as I understood the French to interpret it, raised a fundamental difference to start with.

As matters were not progressing between us, his Excellency, after repeating his confident belief that an agreement was easy, asked me if I would object to sending a Foreign Office expert to Paris to discuss the matter with a corresponding expert there.

I said that this was a suggestion which I was prepared to consider, although I must be clear that nothing was done that could be misinterpreted by the Spaniards as going behind their backs.

He said that in that case perhaps a Spaniard might also be admitted.

I reserved my reply to these suggestions, but promised it at a later date.

His Excellency then for the first time made a further suggestion which, upon enquiry, he said his Government might not very much like, but which he was persuaded that in the last resort they would accept, namely, that the League of Nations should be brought in some capacity or other into a settlement of the case.

When I asked him at what stage this introduction should take place, and what were the functions which he anticipated the League might be asked to perform, he replied that an international administration with conflicting interests was one of the worst forms of administration in the world, and would be certain at Tangier, as elsewhere in the world, to provoke repeated conflict, in which case the League of Nations might be a very desirable Appeal Court to which to refer. Further, he thought that it might be entrusted with certain powers of supervision, or control, which he did not, however, proceed more closely to define.

I said that I had long foreseen the possibility, or even the desirability, of bringing the League of Nations into the matter, at some stage or other, and that I thought the discussion well worthy of examination. I would look into the matter and speak again to his Excellency on the subject at a later date.

I am, &c.
CURZON OF KEDLESTON.

[W 4029/1/28] No. 19.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 32.)
(Telegraphic.) R. *Foreign Office, May* 25, 1923.

FRENCH Government have suggested, and I have agreed, that a meeting should be held in London at an early date of French, Spanish and British experts, for the strictly limited purpose of examining whether it is possible to find agreed basis of discussion for proposed Tangier Conference.

Please inform Spanish Government, explain limited object of meeting and invite them to nominate expert. Report by telegraph earliest date on which it will be possible for Spanish expert to attend in London.

[W 4029/1/28] No. 20.

The Marquess Curzon of Kedleston to Count de Saint-Aulaire.

Your Excellency, *Foreign Office, May* 25, 1923.

IN your letter to Sir Eyre Crowe of the 23rd instant you stated that your Government had approved your suggestion that a meeting should be convened in London or Paris of French, Spanish and British experts, who would hold a preliminary discussion with the view of facilitating the work of an eventual conference on the subject of Tangier.

2. I have the honour to inform your Excellency that His Majesty's Government, who are sincerely anxious to arrive at an early settlement of this long outstanding question, gladly accept your suggestion of a meeting of experts in London with the strictly limited object of examining whether it is possible to arrive at an agreed basis of discussion for the proposed conference. I have availed myself of the friendly offer of the French Government to hold the meeting in London for the reason that I believe the atmosphere of London to be perhaps most favourable to the proposed tripartite discussion. Moreover, the British expert will thus be able to have the advantage of the advice and assistance of His Majesty's agent and consul-general at Tangier, who happens to be at present on leave in this country.

3. I have instructed His Majesty's Ambassador at Madrid to inform the Spanish Government of the proposed meeting and to invite them to nominate an expert, and I will inform you as soon as I learn on what date it will be possible for the Spanish expert to arrive in London.

4. In the meantime I intend to reply to Commander Bellairs, in answer to his parliamentary question, that a meeting of experts is about to take place in London for the purpose of arriving at an agreed basis of discussion for the proposed Tangier Conference.

I am, &c.
CURZON OF KEDLESTON.

[W 4122/1/28] No. 21.

Sir E. Howard to the Marquess Curzon of Kedleston.—(Received May 29.)

(No. 317. Confidential.)
My Lord, *Madrid, May* 25, 1923.

I HAVE the honour to enclose herewith copy of a memorandum by Mr. Lloyd Thomas reporting an interesting conversation with the King of Spain which took place after a recent polo match on the King's private ground in the Casa del Campo Park.

It is clear from this that the Minister for Foreign Affairs in speaking to me as he did on the 24th instant about the expulsion of M. Brousse from Barcelona (see my despatch No. 308 of the 24th May) was acting under instructions from His Majesty.

That part of the conversation which referred to Tangier is of particular interest and importance, for this is the first time that I know of that His Majesty has definitely stated that the Spanish Government would accept the British point of view as to the internationalisation of the Tangier zone, though they must, for form's sake, continue to press for the inclusion of that zone in the Spanish zone at the opening of the Tangier

Conference, whenever that is held. This is what I have always believed would happen, but it is satisfactory to note that the King has now expressed himself frankly in this sense. As reported in my above-mentioned despatch, Señor Alba also said as much to me.

I have, &c.
ESME HOWARD.

Enclosure in No. 21.

Memorandum.

THE King took me aside on Wednesday evening in the Casa del Campo and spoke to me for about half an hour about the expulsion of M. Brousse and the Tangier question. His Majesty said that he had instructed Señor Alba to speak to your Excellency on the former point and to read to you the French note, which His Majesty considered quite unjustified by the events, and intolerably arrogant in tone. He said that the French were becoming every day more difficult, and in his opinion were a menace to the peace of Europe—in fact he went as far as to say that they were just as dangerous now as the Kaiser had been in 1914. Their aims were much the same as his had been, and he was surprised that other Governments, including that of His Majesty's Government, did not realise this more clearly. He hoped that His Majesty's Government would, if necessary, support the Spanish view of the incident of M. Brousse's expulsion. The latter's conduct had on previous occasions given cause for complaint; he had only been allowed as an act of grace to return to Spain, whose hospitality he had abused. His presence in Barcelona had been a menace to public security, and in similar circumstances the Spanish Government would not contest the right of any other Government to expel a Spanish subject. I said that I knew Señor Alba had spoken to you about the matter the day before, but that you had not expressed any opinion.

His Majesty went on to say that there seemed to be no outstanding point of dispute between England and Spain; and that even as regards Tangier there would now be no difficulty in coming to an agreement When the conference took place, his representative would be instructed to begin by claiming the inclusion of Tangier in the Spanish zone, but that would be merely for the sake of appearance, and that as a matter of fact they would agree to internationalisation in principle and to the form of internationalisation which we proposed. But the French, he said, even if they eventually agreed to internationalisation, would endeavour to insert a clause in the agreement giving them the right of free transit to their own zone. It would be necessary to be very careful on this point, because they would abuse any such right, making it an excuse for the erection of independent posts and stations, whereby they would control access from the interior and virtually extend the French zone right up to Tangier itself.

H. L. T.

May 25, 1923.

[W 4154/1/28] No. 22.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid.)

(No. 269.)
Sir, *Foreign Office, May* 29, 1923.

IN the course of a conversation this afternoon the Spanish Ambassador expressed some anxiety as to the consent which I had given to the French proposal for a preliminary meeting of experts in London to see whether a basis of common agreement could be found on the Tangier question prior to the convening of the much talked of conference, and he affected to think that this indicated some change of policy on the part of His Majesty's Government.

I easily disabused his mind of any such idea, and explained the circumstances in which the proposal had been made and accepted by me. I further informed him that I had insisted upon the meeting being of a tripartite character. Even if it failed it could do no harm, or at least much less harm than would the failure of a conference of Ministers and Ambassadors, whereas, if it succeeded, it would lighten our subsequent labours. Anyhow it was, in my opinion, worth trying.

The Ambassador expressed himself entirely satisfied.

I am, &c.
CURZON OF KEDLESTON.

[W 4287/1/28] No. 23.

Note by Sir Eyre Crowe.

THE Spanish Ambassador spoke to me again to-day on the subject of the proposed discussion by experts of the Tangier problem, preparatory to a conference. He told me that he had had a conversation on the subject with the French Ambassador, who had given him the same account of the situation as Lord Curzon had done. There was, however, one point on which the French Ambassador spoke which Signor Merry del Val said had rather alarmed him. That was the idea of bringing the League of Nations into the definite settlement. He asked me, remembering that we also had on one occasion referred to the possibility of introducing the League of Nations, whether we had any definite plan on the subject. I said "No": reference to the League of Nations had been introduced from time to time into the discussion as a possible means of finding a solution where there seemed an irreconcilable difference between the views of France on one side and of Great Britain and Spain on the other, but so far as I knew, this suggestion had never reached the stage of a definite proposal, or of indicating the precise rôle to be assigned to the League in the settlement.

In the course of conversation, the Ambassador and I touched on various possibilities. I pointed out that the mere fact of assigning to the League a definite interest in maintaining the internationalised status of Tangier would afford an additional guarantee of its stability, especially in the event of a possible frontier disturbance, or even of a war in which France might be involved, when there might be temptation for the French Government to commit or encourage encroachments on the Tangier zone. The Ambassador was inclined to agree, but expressed great suspicion of the impartial attitude of the League, whose members, he thought, were naturally inclined to look upon all political questions coming before them rather as they affected their own interests than as calling for a decision on the merits of the case. He thought, therefore, that the Spanish Government would not look with favour on any arrangement by which the League would have power actually to intervene in questions of administration in Tangier, on which Spain and France took different views. I observed that this was not necessarily the part that would be assigned to the League. There were different ways in which a connection could be established between the League and internationalised Tangier. One way, for instance, might be to let the Council of the League be directly represented on the Administrative Commission of Tangier, in exactly the same way as the several treaty Powers were so represented. Another arrangement might be to let the League of Nations have merely the nomination of one member of the Administrative Commission, to be selected from the subjects of some Power other than Great Britain, France and Spain. Still another way of bringing in the League would be to allow a kind of appeal from the Administrative Commission (in case it could not arrive at a unanimous decision on a particular point) to the League. Whether the French Government had any definite notion as to the particular plan to be adopted, I did not know. We, on our part, had certainly not formed any opinion on the matter. The Ambassador discussed each one of the possibilities with much interest. but seemed mainly concerned to prove that the participation of the League, in whatever form, would be undesirable.

E. A. C.

Foreign Office, May 31, 1923.

[W 4347/1/28] No. 24.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(*Received June* 5.)

[By Bag.]

(No. 560A.)
(Telegraphic.) *Paris, June* 4, 1923.

YOUR telegram No. 248.

M. Poincaré agrees that conference shall consist of one expert only from each of the three countries. The other persons mentioned in the "Times" telegram will go as advisers to be consulted by M. de Beaumarchais when necessary, but not to be present at the meetings.

[W 4458/1/28] No. 25.

Mr. Codrington to Mr. Villiers.—(*Received June* 8.)

My dear Villiers, *Tangier, June* 1, 1923.

M. LALAURIE has been to see me this morning with reference to the Havas telegram announcing that, on the conference of experts on the Tangier question, de Beaumarchais represents France; Ben Ghrabit, the Sultan; and M. Rober Raynaud, French interests, in Tangier. M. Lalaurie is very much upset over this, and feels that the chances of success are very much prejudiced by the choice of French representatives. He says that de Beaumarchais does not in the least share Poincaré's genuine desire to get the Tangier question settled, and is also annoyed with the independence which Poincaré has occasionally shown (*e.g.*, postponement of the port works), and that he and other permanent officials at the Quai d'Orsay are looking for Poincaré to fall in order that they may regain the power they have lost under his régime. De Beaumarchais has shown himself strongly opposed to any solution of the Tangier question on quasi-autonomous lines.

Rober Raynaud of course you know about. The Minister told me he found him most conciliatory when Harris brought him to see him a short while ago. Lalaurie does not trust him a yard, and says he does not believe that Rober Raynaud wants to see the question settled at all. He adds that to call Rober Raynaud a representative of French interests in Tangier is grotesque, since he has not lived here lately and he is quite out of touch with what the French people want; and of course we must always bear in mind his association with the French colonial party.

Ben Ghrabit is not even a Moor; he is an Algerian who has been used as a puppet by the French, and is actively disliked by the Moors for his share in the unpopular scheme in building a mosque in Paris. In this, as in most other things, he has been a close associate of Rober Raynaud, and Moors and Christians alike naturally think they have been making a good thing out of it for themselves. Only recently Ben Ghrabit was sent here to address a tea-party of Moorish notables at the Naïb's house and compel them to put their names down on a subscription list for the mosque fund, and I heard at that time how much they disliked and despised him.

Lalaurie characterises the choice of the French representatives as "une maladresse colossale," and I am inclined to agree with him.

Of course you probably know all this, and in any case you cannot influence the French choice of representatives, but I thought I would let you know what Lalaurie has said to me. I don't think that Lalaurie will be able to work up any unanimous objection to the choice of representatives among the Frenchmen here, but I do think that, if they show themselves intransigent and unwilling to give serious consideration to our point of view, he would be able to kick up a good deal of fuss. I hope therefore that, as usual, you will give us very early information as to how things go.

Yours ever,
W. CODRINGTON.

[W 4456/1/28] No. 26.

Mr. Gurney to the Marquess Curzon of Kedleston.—(*Received June* 8.)

(No. 45.)
(Telegraphic.) R. *Madrid, June* 7, 1923.

YOUR telegram No. 32.

Minister for Foreign Affairs states in note received to-day that Spanish Government accept proposal for meeting of experts on the understanding that their functions shall be strictly limited to preparation of text or programme of material to serve as basis for discussions of tripartite conference to meet later in London and to be attended by President of the Council or Minister for Foreign Affairs of Governments interested in order to establish definitely the future status of Tangier. He hopes to be able to communicate shortly names of Spanish expert and of persons who will accompany him and approximate date of their arrival in London.

[W 4585/1/28] No. 27.

Mr. Gurney to the Marquess Curzon of Kedleston.—(Received June 12.)

(No. 345.)
My Lord, *Madrid, June 8, 1923.*

WITH reference to my telegram No. 45 of the 7th June, 1923, I have the honour to transmit to you herewith copy of a note from the Spanish Government respecting Tangier.

I have, &c.
HUGH GURNEY.

Enclosure in No. 27.

Señor Alba to Mr. Gurney.

(Translation.)
Sir, *Madrid, June 6, 1923.*

I HAVE had the honour to receive in due course Sir Esmé Howard's note of the 26th May last, in which he was good enough to inform me, under instructions from his Government, that Lord Curzon had accepted the proposal of the French Government to hold in London, at an early date, a meeting of French, Spanish and British experts for the strictly limited purpose of examining the possibility of finding an agreed basis of discussion for the proposed Tangier Conference.

Sir Esmé Howard enquired in the said note whether His Majesty's Government would be disposed to nominate an expert to attend this meeting, and, if so, would indicate when it would be possible for such nominee to arrive in London.

In answer to the communication in question, I have the honour to inform you, and to ask you to be good enough to inform your Government, that His Majesty's Government accept for their part the proposal in question, on the understanding that the work of the experts nominated shall be strictly confined to preparing a text or programme of material to serve as a basis for the discussion of the Tripartite Conference which is to meet later in London and to be attended by the Presidents of Councils or Ministers for Foreign Affairs of the Governments interested, in order to establish definitely the future status of Tangier.

I hope to be able to communicate to you shortly the name of the expert designated by the Spanish Government, and those of the persons who will accompany him and the approximate date of their arrival in London.

I avail, &c.
S. ALBA.

[W 4631/1/28] No. 28.

Mr. Codrington to the Marquess Curzon of Kedleston.—(Received June 13.)

(No. 199.)
My Lord, *Tangier, June 6, 1923.*

WITH reference to your despatch No. 182 of the 25th May, I have the honour to transmit to your Lordship herewith a memorandum by Mr. Irwin, first interpreter and dragoman of this agency, in which he records comments which have been made to him by leading Moors with regard to the forthcoming negotiations on the subject of the future status of Tangier.

I have, &c.
WILLIAM CODRINGTON.

Enclosure in No. 28.

Memorandum.

THE Moslem section of the population of Tangier is showing considerable interest in the reported meeting of experts to discuss the Tangier question.

During the last few days I have had occasion to see representative Moors of various parts of Morocco, all of whom have criticised severely the constitution of the French

delegation, and more especially the appointment of Cid Abdelkader Ben Ghabrit as "representing the Mussulman community." One and all consider that he is not a suitable person to act as their spokesman, and they ask by what section of the Moslem population he has been elected to speak for them.

In a matter of such importance to them they hold that they should have a voice in the appointment of their representative. Their choice would certainly not fall on an Algerian who has been in the employ of the French for very many years. Even granting that he has a knowledge of the Shraa as practised in Algeria, which they do not admit, they maintain that Shraa is modified in the different Moslem countries by local custom; this applies even in different parts of the same country, and that consequently a good knowledge of local custom is requisite in anyone who is to represent their views.

A high official here asked whom we are sending to expound British views on the question, as they feel that our interests here are identical with theirs.

At a small reunion of notables, in one of their houses, the matter of the proposed conference naturally cropped up. All expressed nervousness as to the possible result of negotiations in which they had no one to voice their views. The only delegation of which they have knowledge, obtained from the local press, is the French delegation, which they find is composed of persons avowedly antagonistic to their wishes. One of the parties present at that meeting was deputed to communicate to me the foregoing.

ALFRED IRWIN.

Tangier, June 5, 1923.

[W 4671/1/28] No. 29.

Count de Saint-Aulaire to the Marquess Curzon of Kedleston.—(Received June 15.)

SE référant à sa communication téléphonique en date du 12 de ce mois, l'Ambassadeur de France a l'honneur de faire savoir à son Excellence le principal Secrétaire d'État de Sa Majesté pour les Affaires étrangères que M. de Beaumarchais a bien été désigné pour représenter le Gouvernement français à la réunion d'experts qui doit examiner le statut de Tanger.

M. de Beaumarchais se tiendra à la disposition du Gouvernement de Sa Majesté britannique à partir du 18 de ce mois.

Le Comte de Saint-Aulaire serait en conséquence reconnaissant à sa Seigneurie le Marquis Curzon de Kedleston de vouloir bien l'aviser dès qu'une décision sera prise.

Il saisit, &c.

Ambassade de France, Londres,
le 13 juin 1923.

[W 4673/1/28] No. 30.

M. Merry del Val to Sir Eyre Crowe.—(Received June 15.)

(Private and Confidential.)
Dear Sir Eyre Crowe, *Spanish Embassy, London, June 14, 1923.*

I HAVE this morning received a telegram from Madrid informing me that the Spanish representative in the Conference of Experts on Tangier will be his Excellency Don Mauricio López Roberts, Marquis of Torre-Hermosa, Minister Plenipotentiary and Chief of the Colonial Section of our Foreign Office, formerly our representative at Tangier.

I remain,
Sincerely yours,
A. MERRY DEL VAL.

[W 4809/1/28] No. 31.

Mr. Gurney to the Marquess Curzon of Kedleston.—(*Received June* 15.)

(No. 48.)
(Telegraphic.) R.

Madrid, June 15, 1923.

MY telegram No. 45.

Minister for Foreign Affairs informs me that Don M. López Roberts, Marquis de la Torre Hermosa, head of Colonial Section of Ministry for Foreign Affairs, has been appointed Spanish expert to attend forthcoming meeting to discuss Tangier question. Names of persons accompanying him and date of departure will be communicated later.

[W 4809/1/28] No. 32.

Sir Eyre Crowe to the Spanish Ambassador.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Spanish Ambassador, and has the honour, by direction of the Marquess Curzon of Kedleston, to state that His Majesty's Government will be represented at the forthcoming conversations on the Tangier question by Mr. Arnold Robertson, C.M.G., His Majesty's agent and consul-general at Tangier.

Foreign Office, June 18, 1923.

[W 4846/1/28] No. 33.

Mr. Codrington to the Marquess Curzon of Kedleston.—(*Received June* 20.)

(No. 205.)
My Lord,

Tangier, June 12, 1923.

WITH reference to my despatch No. 199 of the 6th June, I have the honour to report that the selection of M. Rober Raynaud as expert adviser to the French representative at the forthcoming discussions has evoked considerable criticism in the French colony. Meetings have been held by the three chief representative bodies, namely, Union de Combattants, Union de Travailleurs and the Chamber of Commerce, and telegrams were despatched to Paris protesting against the choice of M. Rober Raynaud and demanding that someone more closely in touch with the present views of the French colony should be present as adviser to the French representative. I do not know what reply has been vouchsafed to these communications, but I learn that M. Busnet, the President of the French Chamber of Commerce, has been hurriedly despatched to Paris to communicate to M. de Beaumarchais the views held by the French community.

2. I understand the instructions to be given to this gentleman formed the subject of a protracted discussion at a meeting attended by about thirty French residents, most of whom were members of the Committee of the French Chamber of Commerce. At this meeting it was recognised that there could be no question of insisting upon the extreme demands which had previously been put forward by the French Government and that in order to obtain a settlement it was necessary that considerable concessions should be made according to the British point of view. M. Busnet was accordingly instructed to press for a quasi-autonomous régime for Tangier under the nominal sovereignty of the Sultan, somewhat as described in the blue pamphlet by M. Lalaurie and his friends (see Mr. Robertson's despatch No. 262 of the 29th June, 1922). A protracted discussion took place on the subject of the Tangier port scheme, and the meeting finally came to a unanimous opinion that it was desirable, if possible, that the port company should be entirely eliminated so that Tangier could manage its own port and dispose of such profits as might result therefrom. The feeling among those present was that if a sound administration were installed at Tangier, if the customs receipts were payable to the municipality and if the additional taxation already enforced in the protectorate were imposed here, and also a 2 per cent. "octroi de mer," as proposed by M. Lalaurie, Tangier would have sufficient means to furnish the interest on the capital sum necessary for building a long breakwater. Doubts were, however, expressed as to whether financial houses would be prepared to accept the guarantee of a new and untried body such as the future municipality, and it was resolved to instruct M. Busnet to put forward

a proposal that Great Britain and France should be asked to give a covering guarantee of the annual sum necessary as an additional inducement to financiers to take up the bonds which would be issued. Emphasis was laid upon the fact that the chances of either Government being called upon to pay anything in respect of such a guarantee were infinitesimal, especially in view of the increased traffic which was bound to result, more particularly if the Spanish Government withdrew their objections to the completion of the Tangier–Fez Railway and that company's line were to be completed in the course of next year.

3. M. Lalaurie, who came to see me to-day, tells me that a representative of his group has seen M. Rober Raynaud, who informed him that the French Government had realised that they would have to accept a Commission of Control, and that they contemplated a body composed of a French, British and Spanish representative, with, possibly, a Belgian, an Italian and an American added. I suggested that possibly the Colonial party might be disposed to criticise such a drastic modification of the French point of view, and enquired whether he thought there was any truth in Mr. Harris's theory that M. Rober Raynaud's appointment was inspired by the desire to silence any objection from that quarter. M. Lalaurie replied that this indeed might be so, but that in point of fact the members of the Colonial party took very little interest in Tangier and were unlikely to cause any trouble.

4. M. Rober Raynaud's conception of the Committee of Control was that it should be a body which would interfere as little as possible with the details of the municipal administration, which should be left entirely to the municipal council, but that it should be a channel of communication with the neighbouring zones.

5. M. Lalaurie also told me that he had been to Rabat to see M. de Sorbier before the latter left for France. He appeared to have an open mind and to be in no wise opposed to the granting of an autonomous régime to Tangier.

6. In conclusion M. Lalaurie again reverted to the question of the port and told me that a great many Frenchmen had expressed the fervent hope that under no circumstances would His Majesty's Government withdraw their objections to the port company, but that they would press for its complete elimination.

7. So far as there is the slightest possibility of forming an opinion here, there seems every indication that, though they may at first make some attempt to bluff, the French Government are, in fact, prepared to make almost any concession to obtain a settlement. The chief concern of leading members of the French community here is that MM. de Beaumarchais and Rober Raynaud, who have always been exponents of extreme French views, may not find it easy to recede far enough from their previous attitude to ensure agreement with His Majesty's Government. Should they fail to do so, and should it appear that an agreement on practical lines with His Majesty's Government is being in any degree delayed by insistence on their part on political shibboleths, I have little doubt that considerable pressure will be put on the French Government to modify their attitude and if necessary change the delegates sent to London.

I have, &c.
WILLIAM CODRINGTON.

[W 4824/1/28] No. 34.

Mr. Gurney to the Marquess Curzon of Kedleston.—(*Received June* 20.)

(No. 362A.)
My Lord,

Madrid, June 16, 1923.

WITH reference to my telegram No. 48 of yesterday's date, I have the honour to transmit herewith translation of the letter from the Minister for Foreign Affairs, on which my telegram was based, informing me of the appointment of M. López Roberts, Marqués de la Torre Hermosa, as Spanish expert at the forthcoming meeting in London to discuss the Tangier question.

M. López Roberts, who is now head of the Colonial Section of the Ministry for Foreign Affairs, was at one time Spanish representative at Tangier, and I understand that the appointment is a suitable one. The Under-Secretary of the Ministry has, however, informed me that, as M. López Roberts has not been dealing lately with matters connected with Morocco, he will require a little time to study the question in its more recent aspects before proceeding to London, but he promised to inform me as soon as possible of the proposed date of his departure.

I have, &c.
HUGH GURNEY.

Enclosure in No. 34.

M. Alba to Mr. Gurney.

(Translation.)

Dear Mr. Gurney,

Madrid, June 13, 1923.

I HASTEN to inform you that it has been decided that the Spanish expert at the proposed conference in regard to Tangier shall be the Chief of the Colonial Section of this Ministry, Don Mauricio López Roberts, Marqués de la Torre Hermosa.

I shall have much pleasure in informing you, as soon as a decision has been taken, as to the persons who will accompany him.

I have, &c.

S. ALBA.

[**W 5220/1/28**]

No. 35.

Conference of Experts on Tangier.—(Report of Meetings of June 29 *and* 30.)

Sir Eyre Crowe,

WE have had two meetings. Yesterday the French representative put forward the French proposals in a somewhat general form. They did not appear to meet our case at all, and the meeting began this morning with a claim by the Spanish representative for Tangier to be incorporated in the Spanish zone. The claim was not seriously pressed, and was rejected by the French representative. The Spanish representative thereupon said that he could only accept internationalisation as an alternative, and he associated himself with the terms of the Foreign Office memorandum of the 27th March, which was communicated to Count de Saint-Aulaire on that day.

I thereupon put forward my demand for internationalisation, and gave a short history of our case from 1904 onwards. I insisted that we had met at the request of the French Government, who must have carefully considered the Foreign Office memorandum of the 27th March, and that I had clearly understood that we were going to discuss an international régime.

M. de Beaumarchais thereupon argued that he had conceded internationalisation in all but name. He said that the French Government were perfectly ready to agree to a settlement on the following lines:—

1. *Military and Naval Guarantees.*

Permanent neutralisation in war and in peace to be guaranteed in any form or shape that His Majesty's Government might desire. We can make use of the League of Nations for this purpose if we wish, or invent any guarantees that we like.

2. *Commercial Equality.*

Equality of commercial treatment and the "open door" to be guaranteed in any manner that we wish; for example, the consular corps at Tangier would have the right at any time to complain to the Moorish Government of any inequality of treatment. The Moorish Government would be required to reply in a given time, say a month. If the Moorish Government fail to give satisfaction to the complaint of the Consular Corps, the matter can be referred to the League of Nations, to the International Court of Justice at The Hague or to any other body that we like. Detailed complaints, such, for example, as the unfair assessment of a particular parcel of goods can be referred to the local international tribunal (see below).

3. *Justice.*

In broad lines the suggestion is that an international tribunal should be set up, consisting of six magistrates, two French, two Spanish and two British, who would be nominated by their respective Governments, but paid for by the Moorish Government. The Public Prosecutor would be a Frenchman, as the law to be administered would presumably be French.

4. *Dahirs.*

The dahirs of the Moorish Government would automatically be applied to Tangier, but objection to any dahir can be raised by any individual consul. The Moorish Government would be given a fixed delay, say one month, in which to reply. If no agreement is arrived at, then the matter can be referred to the League of Nations, the International Court of Justice or any other body that we like to name.

5. *The Port.*

The French are chiefly exercised in their minds lest the Port of Tangier might enter into unfair competition with the Port of Casablanca by levying rates with which the latter could not compete. Provided that some definite guarantee in this respect can be obtained, the French Government would be prepared to give 5 per cent. of the German share to us and 5 per cent. to the Spaniards. The 3 per cent. Austrian share would be offered to America. The share capital of the company would then be thus divided:—

40 per cent. French, 25 per cent. Spanish, 25 per cent. British, 3 per cent. American and 7 per cent. other nationalities.

The French Government would also require the Spanish Government to guarantee 25 per cent. of the bond issue of 35,000,000 fr. The administration of the port would be in the hands of the company and a Government commissary. On the other hand, either the municipality itself or an International Chamber of Commerce, or some other body representing local interests, would have the right to have their complaints heard. Detailed complaints in regard, for example, to the loss of a package would be heard by the international tribunal. More serious complaints, in the event of no agreement being reached between the company and the municipality, would be referred to some impartial body, the nature of which we have not discussed.

6. *Police.*

All present forces, that is to say the French tabor, the Spanish tabor and the Compagnie chérifienne, to be suppressed, and their place taken by a gendarmerie of, say, 300 infantry and 100 cavalry; the commander to be French, but instructors and subordinate officers Spanish, British, if we so wish, and Moorish. The force to be paid for by the Moorish Government.

7. *Municipal Assembly.*

This would be of an international character, and look after purely local affairs. It would set up its own budget, its own taxation and its own offices. The details to be discussed.

8. *The right of Expulsion.*

The right of expulsion against Moors to be in the hands of the Basha. Europeans and former protégés can only be expelled with the consent of the international tribunal.

9. *The State Budget.*

This would pay for all State functionaries, such as the basha, the cadi, &c., the gendarmerie, justice, the State roads, *i.e.*, the main roads in the Tangier zone.

10. *The Foreign Post Offices.*

These can either be suppressed in favour of the Shereefian posts and telegraphs, or maintained for the moment as we wish.

I would venture to submit that the above proposals require very careful consideration before we reject them. It is perfectly true that we have not got an international Government of Tangier as laid down in the Foreign Office memorandum of the 27th March last, but, in my opinion, we can adequately safeguard political, strategic and commercial interests with the above proposals. I take it that internationalisation *per se* is not what we require, but the safeguarding of our strategic and commercial interests. If that be so, I submit the French proposals form a basis for further negotiations.

The Secretary of State will no doubt wish to give careful consideration to the above, and I have therefore put off our next meeting till Tuesday morning at 11 oclock, by which time I should be grateful if I might be furnished with instructions as to whether I am to continue to hold out for international government altogether, independent of the French zone. The negotiations will then, of course, break down.

ARNOLD ROBERTSON.

June 30, 1923.

(b.) The Tangier Port Concession.

[W 4053/207/28] No. 36.

British Merchants' Morocco Association to Foreign Office.—(Received May 26.)

37, *Gracechurch Street, London,*
May 25, 1923.

Sir,

YOU will recollect that we exchanged correspondence with regard to the Société internationale pour le Développement de Tanger in July 1921.

At that time the capital of the Société was 2,000,000 fr., divided into 4,000 shares of 500 fr. each, of which one-quarter had been paid.

Owing to the disturbance of financial values caused by the war it was proposed to increase the capital to 7,500,000 fr., of which one-half was to be paid within six months of the granting of the concession.

Can you inform us if this proposed increase of capital has actually been authorised, whether the shares have been allotted, and what sums paid thereunder?

We should be interested to know in whose names the British proportion now stands and whether it is possible to obtain a complete list of the present shareholders and their holdings.

The balance of capital required for the construction of the port, the total cost of the works having been re-estimated at 42,500,000 fr., was to be raised by the issue of 35,000,000 fr. of debentures, repayable in sixty-two years, the payment of interest being guaranteed by the Shereefian Government. Can you tell us if any of these debentures have been issued and whether they were to be allotted in the same national proportions as the shares of the Société, or were they issued to anyone who was willing to buy them irrespective of what his nationality might be?

The council would be grateful for any information which you may be in a position to furnish.

I am, &c.
M. B. MILNE, *Secretary.*

[W 4265/207/28] No. 37.

Mr. Codrington to the Marquess Curzon of Kedleston.—(Received June 1.)

(No. 185.)

My Lord, *Tangier, May* 25, 1923.

WITH reference to my despatch No. 177 of the 18th May, I have the honour to transmit a copy of a plan,* which I have obtained confidentially, showing the scheme of port works believed to have been suggested by M. Broquaire, the engineer-in-chief of the Public Works Department, in his report to the French Government. The particulars given on this plan can only be considered approximate.

2. Your Lordship will observe that the central feature of the new scheme is the construction as a "work of first urgency" of a breakwater 1,800 metres long. This would give protection from the easterly and north-easterly winds, which at present hamper the handling of passengers and cargo on so many days in each year. The scheme of the port company provided among the works of first importance for only a comparatively short jetty, which would not have afforded this protection. The protection of the anchorage would be rendered more complete if the Tangier–Fez Railway Company consented to build their passenger station where indicated in the plan.

3. The reclamation of a large area of land off the shore, which was a significant feature of the port company's scheme, is abandoned in the revised plan, and would only be undertaken when justified by the needs and resources of the town.

I have, &c.
WILLIAM CODRINGTON.

---

* Not reproduced.

[W 4305/207/28] No. 38.

Mr. Codrington to the Marquess Curzon of Kedleston.—(Received June 2.)

(No. 176. Confidential.)

My Lord, *Tangier, May* 17, 1923.

M. LALAURIE, whose views with regard to the settlement of the Tangier question have been reported to your Lordship in Mr. Robertson's despatches No. 262 of the 29th June and No. 300 of the 27th July, 1922, respectively, came to see me yesterday on his return from a short visit to Paris.

2. M. Lalaurie thought that the desire to avoid an open breach with Great Britain in the Tangier question, such as would occur if negotiations broke down, was more marked than when he was last in Paris, and he had himself, at the request of several Deputies, consented to address the Commission for Foreign Affairs a few months hence in order to explain to them the solution which he and other French business men in Tangier desired, and which they thought was not so very far removed from the views which they believed to be held by His Majesty's Government. I asked M. Lalaurie whether it was indeed the case that the French Government could recede from their extreme demands without incurring severe criticism from those who believed that France had a right to a predominant position in Tangier. In reply he assured me that Frenchmen were losing so much money owing to the delay in settling the question, and disliked so intensely the idea of being handed over to the tender mercies of the bureaucracy of the protectorate, that they would welcome any scheme which gave Tangier its autonomy and liberty to pursue its own development, and added that any French Government which refused to give serious consideration to any proposals along these lines made to them by the British Government would meet with strenuous opposition from those who, like himself, had been persuaded to make investments, chiefly in land, in the Tangier zone, and who were being ruined by the existing deadlock.

3. He further informed me that M. Guernut, the general secretary of the Ligue des Droits de l'Homme, had recently been in Tangier and had investigated in some detail the various aspects of the Tangier question. Before he left he expressed his determination to bring pressure to bear on the French Government, through the organisation of which he was the head, to agree to a settlement of the question on lines which would give Tangier practical autonomy under the Sultan's nominal sovereignty, or, failing such agreement, to refer the whole question to the League of Nations. The same gentleman was also going to propose, in the hope thereby of facilitating an early settlement, that the "conseiller européen," provided for in M. Lalaurie's scheme as a sort of chief of staff to the Sultan's representative, should be nominated by the League of Nations and not by France. M. Lalaurie had reason to believe that M. Guernut's proposals would receive the active support of the Ligue des Droits de l'Homme.

4. M. Lalaurie then proceeded to discuss the question of the port. He characterised the present scheme as having been dictated by political rather than practical considerations, and as being most unfair to Tangier. M. Malégarie, the late engineer-in-chief of the Public Works Department, had been far more of a politician than an engineer, and the present concession, for which he was largely responsible, though it might have given France political control of Tangier, would have prevented the latter from deriving any profit from the working of its port. The more he and other Frenchmen examined the existing port concession the more amazed were they at the effrontery of their Government in putting up such proposals. What after all did they amount to? A syndicate which undertook no risk in connection with the financing of the cost of the port works, and who only put up a capital of 7½ million francs, would become the owners of a port costing between 30 and 40 millions to build, having received in the interim considerable profits not only from the working of the port, but also from the sale and letting of reclaimed lands. He had recently ascertained that the new engineer-in-chief, M. Broquaire, who appears to be an honest and capable engineer rather than an amateur politician, had been instructed to examine thoroughly the existing port scheme, and to report—

(i.) Whether the works at present proposed were suitable to local conditions and requirements, and, if not, what suggestions he had to make?
(ii.) What would be the cost of the works he considered necessary?
(iii.) Would there be any possibility of Tangier itself financing these works?

5. As a result of these instructions, M. Broquaire had drawn up a revised scheme of port works. His plan provided for the immediate construction to its full length of the outer mole, and the provision of a *terre-plein* for the storage of coal. If the Tangier–Fez Railway Company could be induced to build their own mole—and tentative enquiries were already being made on this point—the latter would complete the protection of the anchorage from the prevailing north-east winds. The construction of the more elaborate schemes proposed in the original concession could be postponed until a later date.

6. M. Broquaire estimated that the expense of the minimum port works necessary to give a sheltered anchorage would amount to 41 million francs, and M. Lalaurie hoped that he had gone some way towards convincing him that this sum could be financed by the future Tangier municipality. I asked him how this was to be done, and he replied that, taking 8 per cent. of 41 million francs as the annual sum required for interest and sinking fund, Tangier would have to find 3,200,000 fr. a year. He anticipated a minimum net revenue of 1½ million francs from anchorage and port dues. Bunker dues, at 3 fr. per ton, should produce to start with about 150,000 fr. Algiers handles 580,000 tons annually and Gibraltar 300,000; it was therefore hardly too much to suppose that in three years' time Tangier would be handling as much as the latter, and drawing a revenue therefrom of over 800,000 fr. The remainder could easily be found out of the surplus of the municipal budget, which, he estimated, would amount, under an economical administration, to about 3 million francs. I enquired how he would dispose of the existing port company, and he replied that far the best policy, from Tangier's point of view, would be to buy them out, after careful scrutiny of any claim they might make for refund of expenses incurred.

7. I have no reason to doubt M. Lalaurie's veracity, and I consider that this new examination of the port question on the part of the French authorities is significant. The protectorate authorities are short of money, and are taking vigorous steps to reduce expenditure in every possible direction. They have no immediate interest in the construction of a port at Tangier, and might well be glad to be freed of the obligation which they were called upon to assume. I shall endeavour to ascertain more accurately the result of M. Broquaire's investigations, but it is interesting to learn that the French Government are even considering a solution of the port question which might be found to meet with the approval of His Majesty's Government.

I have, &c.
WILLIAM CODRINGTON.

[**W 4306/207/28**] No. 39.

Mr. Codrington to the Marquess Curzon of Kedleston.—(*Received June 2.*)

(No. 177. Confidential.)
My Lord, *Tangier, May 18, 1923.*

WITH reference to my despatch No. 176 of the 17th May, I have the honour to report that M. Broquaire, engineer-in-chief of the Public Works Department, came to see me to-day in connection with various questions relating to the Committee of the Caisse spéciale, of which I am a member.

2. Conversation eventually turned to the question of the port. M. Broquaire confirmed what I had already been told by M. Lalaurie, and informed me that in his opinion the port works necessary to give Tangier a sheltered anchorage would cost 41 million francs. He thought that if additional indirect taxation, of the nature already levied in the French zone, were imposed at Tangier, and if the 2½ per cent. *ad valorem* customs duty imposed for Public Works under the Algeciras Act were doubled, or even raised to 6 per cent., there would be no difficulty in financing the necessary bonds without recourse to the assistance of the protectorate. The authorities of the French zone would indeed ask for nothing better than to be relieved of their obligations under the existing concession. Speaking entirely personally and privately, he expressed the opinion that the latter had had its origin in political considerations and the desire of the port company to make money out of deals in reclaimed lands; had the promoters of the scheme been animated solely by a desire to get a port built, greater progress might have been made.

3. M. Broquaire enquired whether I thought it would be possible to achieve a settlement of the port question before the future status of Tangier had been decided at

the international conference, the date of which seems to be continually receding into the dim and uncertain future. I replied that while I had always felt that once the Tangier statute was settled a solution of the port question would very quickly follow, and that that would be the most natural sequence of events, I felt sure that in endeavouring to find a means of building a port without the assistance of the protectorate authorities he was indeed exploring the only path which might lead to agreement among the Governments concerned.

I have, &c.
WILLIAM CODRINGTON.

[**W 4849/207/28**] No. 40.

Mr. Codrington to the Marquess Curzon of Kedleston.—(*Received June 20.*)

(No. 206.)
My Lord, *Tangier, June 13, 1923.*

ON receipt of your despatch No. 195 of the 4th instant I enquired of Mr. W. B. Harris whether he could furnish me with the information required by the British Merchants' Morocco Association with regard to the distribution of the ordinary capital of the Tangier Port Company, of which he is a director. I have the honour to transmit herewith a memorandum containing the information supplied by him.

2. Your Lordship will observe that the situation as regards the payment on the company's shares has apparently undergone no change, and that the cash actually received up to the present by the company from the shareholders amounts only to 1 million francs.

3. I enquired of Mr. Harris whether a register of shareholders was available for inspection, either here or in Paris, at an institution corresponding to our Registry of Public Companies at Somerset House, but he was unable to enlighten me on this point. I consider it unlikely that any such register would be available here, and I have the honour to suggest that it might be advisable for the association to address an enquiry on this point either to the offices of the company in Paris or to the public authorities charged with the duty of registering French limited companies.

4. The Makhzen guaranteed bonds, to which the association refer in the penultimate paragraph of their letter, will be issued by the company to the public without distinction of nationality, as funds are required for paying the works contractor. Full details are to be found in articles 6 and 7 of the "convention" of the Tangier port concession, of which the association presumably possess a copy.

I have, &c.
WILLIAM CODRINGTON.

Enclosure in No. 40.

Memorandum.

THE original capital of 2 million francs consisted of 4,000 shares of 500 fr. each, of which only one-half, *i.e.*, 250 fr. per share, has been paid up. The remaining 250 fr. per share was not to be payable until a certain sum has been expended upon the port works.

Authority has already been taken for the increase of the amount of the ordinary shares from 2 million francs to 7½ million francs, and the holders of the original 2 million francs' worth of shares were given the option of subscribing for the new shares. So far the only shareholder who is known to have expressed his willingness to exercise this option is Mr. Abensur. Mr. Harris is waiting to see if any modifications are inserted in the concession which would affect the attractiveness of the investment.

The British holding of the original 2 million francs capital, divided into 4,000 shares of 500 fr. each, on which 250 fr. was paid up, of the old Société de Travaux publics was distributed between—

	Shares.
Messrs. Speyer Brothers	296
Messrs. Harris and Dixon	286
Messrs. Ruffer and Sons	[?]
Messrs. Abensur's group	72
Mr. Norton	10

The Société de Travaux publics has been liquidated, and has been succeeded by the Société du Port de Tanger, and the British shares are said to be held as follows:—

	Shares.
Mr. W. B. Harris	686
Mr. Abensur's group	78
Mr. Alwyn Parker	10
Messrs. Ruffer and Sons	26
Total	800

As soon as the increase of capital from 2 million francs to 7½ million francs, which has already been authorised, is actually carried out, a further 2,200 shares of 500 fr. each must be subscribed for by British subjects if the British proportion of the ordinary share capital is to be maintained at 20 per cent.

(c.) Décanat of the Diplomatic Corps.

[W 994/121/28] No. 41.

Sir E. Howard to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 61.)
My Lord, *Madrid, January 30, 1923.*

TWO or three days ago the Belgian Ambassador spoke to me on the subject of the Décanat of the Diplomatic Corps at Tangier; and after telling me that the Spanish Minister, M. Serrat, had come to Madrid on leave and that the Décanat had, therefore, devolved for the time being on the Belgian Minister, who is next in seniority, asked me whether His Majesty's Government had taken any interest in the question. I replied that they certainly had done so, and that I had spoken on more than one occasion to the late Minister for Foreign Affairs on the subject. I said that I was aware that, owing to the fact that M. Serrat had not presented his credentials to the Sultan, the French authorities had refused to recognise M. Serrat as Doyen, and that in consequence the Diplomatic Corps at Tangier had been unable to take collective action on any of the questions that had arisen, with regard to which it should naturally have been consulted. I said that His Majesty's Government were as anxious as anybody else that this unfortunate state of things should come to an end. The Belgian Ambassador then said that, although the Belgian Government were not particularly anxious that their representative at Tangier should be put into the rather delicate and responsible position of Doyen, he thought that their objections might be overcome if M. Serrat were transferred to another post or remained indefinitely on leave; and he asked me whether I could not take up the matter again with the Spanish Government. Knowing the views of your Lordship and of His Majesty's Minister at Tangier on the subject, I said I would sound the Spanish Minister for Foreign Affairs about it the next time I saw him.

During a conversation which I had yesterday morning with Don Santiago Alba, I therefore referred to the question of the Décanat, and told him that His Majesty's Government were very anxious to see this matter settled, and suggested that it might be advisable to allow M. Serrat to remain on leave indefinitely, or even to transfer him to another post. His Excellency said that he felt quite as strongly as we did that the anomalous situation which had arisen with regard to M. Serrat should be settled as early as possible. At the same time, he did not wish to recall M. Serrat from Tangier until after the promised conference on the general future status of Tangier had taken place. I then suggested that perhaps M. Serrat might be given a long leave. His Excellency told me that the Spanish Minister returned to Tangier two days ago; but as he was anxious to work in every way in harmony with His Majesty's Government, and as he realised that various questions might be held up at Tangier owing to M. Serrat's presence there, he suggested that, if he could be informed through me at any time that His Majesty's Government considered that some such question should be urgently dealt with by the Diplomatic Corps acting together, he would be quite prepared to give M. Serrat leave to come to Spain for some time in order to enable the

Diplomatic Corps at Tangier to meet. I thanked his Excellency for this suggestion, and said I would submit it to your Lordship.

Although this does not actually meet our wishes altogether with regard to the removal of the difficulties that have arisen out of this question of the Tangier Décanat, I am inclined to think that it is the best that we can hope to obtain for the moment, and venture, therefore, to submit it to the favourable consideration of your Lordship. Of course, such an arrangement could not be indefinitely prolonged without becoming ridiculous; but it is to be hoped that if the Tangier Conference takes place at no very distant date it would come to an end automatically. Don Santiago Alba then told me, saying that he wished to be quite frank, that he had heard from M. Serrat that whereas Mr. Robertson had shown himself at the outset very friendly and willing to support him against the arguments used by the French in the Décanat question, he had noticed that lately Mr. Robertson appeared to have modified his views and to have gone round to the side of the French. I told his Excellency that I hardly thought that Mr. Robertson could be accused of a too pro-French attitude, as I believed that the French authorities had complained that he was the reverse. It seemed to me, therefore, that Mr. Robertson was probably very impartial; but as he had spoken to me about this matter, I would also say frankly that I had heard from Mr. Robertson that M. Serrat was not always easy to deal with on account of his rather excitable nature, and that, particularly at conferences of the Diplomatic Corps, he was frequently *emporté*. Don Santiago replied that he knew quite well that this was the case, and that for this reason he should be very glad to move M. Serrat, who was in other respects a capable official, to another sphere of activity which would be less trying to his nerves. He repeated that he would do this as soon as some decision had been reached by the Tangier Conference.

I have, &c.
ESME HOWARD.

(d.) Heads of Foreign Missions.

[W 1645/1645/28] No. 42.

Mr. Robertson to the Marquess Curzon of Kedleston.—(Received March 2.)

(No. 70.)
My Lord, *Tangier, February 24, 1923.*

WITH reference to my despatch No. 237 of the 12th June, 1922, I have the honour to transmit to your Lordship herewith a report on the heads of foreign missions at Tangier.

I have, &c.
ARNOLD ROBERTSON.

Enclosure in No. 42.

Report on Heads of Foreign Missions at Tangier.

Belgium.

BELGIUM is represented by M. Maurice Cuvelier, who was appointed diplomatic agent and consul-general at Tangier in 1917. He is in the Belgian consular service, and spent some time in Bombay. He is an amiable enough colleague, and gives himself considerable trouble to fulfil his social duties, holding tenaciously to his place in the sun as Belgian representative. The pomposity of his manner and the pedantry of his diction make him something of a butt amongst his colleagues. He usually votes with the French in matters concerning the administration of Tangier. He is married and his wife is generally popular. He has some knowledge of English. (Written in 1921.)

France.

M. François de Carbonnel has been French diplomatic agent since 1919. Before his arrival he was counsellor at the French Mission to the Belgian Government at

Le Havre, and, some time earlier, secretary of Embassy at Berlin. He is a man of some intellect and considerable personal charm. He is astute and quick at taking up little points, but appears to be almost entirely lacking in character or in courage of his convictions, if, indeed, he has any. He is terrified of both Paris and Rabat, and seldom, if ever, ventures an opinion of his own. I doubt if he intrigues against us of his own volition, but he makes no effort to control the anti-British machinations of his dragoman, M. Ronflard, who probably takes his orders from Rabat or the Quai d'Orsay. M. de Carbonnel professes Anglophil sympathies, but they are of little value, as he carries no weight with anyone. Altogether a poor creature who, if pressed, takes refuge in obstinacy. He is a widower. (Written in 1922.)

After a year's experience I am less certain that M. de Carbonnel does not intrigue against us. He has, I know, done his best to frighten the American Minister, and to accuse him of being under British influence. He has also done his best to make mischief between the American Minister and his secretary. M. de Carbonnel is not a colleague whom I would be in the least inclined to trust in spite of his charming manners. (Added in 1923.)

Italy.

M. Serra, the Italian Minister at Lisbon, who acted for some months as agent at Tangier, was himself replaced for a few months by M. Badolo of the consular service. At the time of writing a new Italian agent and consul-general, in the person of M. Brambilla, is on his way to Tangier. M. Brambilla was for some time counsellor in Washington, and is married to an American – the daughter of the late Mr. Meyer, the American Ambassador at Rome, and Secretary of the Navy in President Roosevelt's Administration. (Written in 1923.)

Netherlands.

M. J. D. van Ketwich Verschuur arrived in Tangier as Dutch agent and consul-general in October last. He speaks excellent English, but shares his countrymen's sympathies for the Germans. He was formerly in the Foreign Office at The Hague, and has been seven years at Pretoria. He considers that Holland has important commercial interests at Tangier, and I gather that his Government are becoming more and more strongly in favour of internationalisation. They would certainly express definite views on any scheme put before them. M. van Ketwitch is persistent to the point of indiscretion in his questionings on all subjects, and it is not always easy to put him off. He is married to a pleasant but shy Dutch lady, who also speaks English. (Written in 1922.)

Portugal.

M. Lopes da Silva Ferreira arrived in May 1921, a pleasant but colourless colleague, whose instructions, so he informs me, are to support me in case of differences among members of the Diplomatic Body. He generally puts "d'accord avec mon honorable collègue d'Angleterre" under my minutes on circulars, but never expresses an opinion of his own. (Written in 1922.)

Spain.

Don Francisco Serrat has been Spanish representative at Tangier since the beginning of 1916, before which date he was head of the Morocco Department in the Ministry for Foreign Affairs at Madrid, having previously served in several Spanish diplomatic missions in Europe and elsewhere.

M. Serrat is in the strange position of not being officially recognised by the Makhzen, never having been furnished with letters of credence as diplomatic agent. He explains his position by claiming that he is merely agent for the Tangier zone, where his Government do not recognise any sovereign rights on the part of the Sultan, and that he has nothing to do with the French protectorate or the Spanish zone of Morocco.

M. Serrat is a man of a certain ability and a master of the terms of all the treaties, rules and regulations affecting this place. His position in Tangier, where he feels obliged actively and constantly to uphold Spanish rights, renders him, however, touchy and impulsive and apt to rush into ill-considered action that he afterwards regrets. He has no manners, and the manifestations of his quick temper, soured by his experiences at Tangier, are unpleasant. At meetings of the Diplomatic Body, Conseil sanitaire and the Comité des Travaux publics, he sometimes loses control of himself

and beats the table and shouts. He is a difficult colleague to deal with and not always truthful, and at a place such as Tangier, where the difficulties of things often demand much patience, tact and good-will, he can only be regarded as a danger. (Written in 1921.)

His position has recently become still more difficult, owing to the refusal of my French colleague and the local authorities to recognise him as doyen of the Diplomatic Body, because he is not accredited to the Sultan and denies His Majesty's authority over Tangier. (Written in 1922.)

United States.

Mr. Blake left on a special mission to the Balkans in April, and has been replaced by a Roman Catholic priest, Father Joseph M. Denning, who had never previously been outside the United States. Though he assures me that he is not of Irish origin, his parents were born in County Clare and emigrated to the United States. His appointment, he tells me, is due to a desire on the part of President Harding to show gratitude to the Roman Catholic Church for their support during the last elections. He is a fish cut of water, understands no word of any language but his own, and has so far failed to show any sign of grasping the position here or any of the problems with which he has to deal. French agents tried to flatter him and wean him over to their side almost immediately after his arrival, but Mr. Blake was still here at the time and was able to warn him. The hint was apparently given to him that he would certainly get a bishopric if he did well here. It is too early yet for me to judge how far he is likely to fall into the traps laid for him, but I am inclined to think that he would resent any attempt to make a fool of him. I am informed that the State Department did not approve of the appointment, but President Harding insisted. They have, therefore, sent a secretary to help him, Mr. Ferdinand L. Mayer, who practically does all the work, to the no small chagrin of the French agency. Mr. Mayer comes from the State Department. He has only been here one month, but has grasped the whole situation here in that very short time. He is one of those honest, straightforward Americans with whom it is a pleasure to deal and whom intrigue disgusts and alienates. It is safe enough for us to let him work out his own salvation, but to give him any help for which he may ask. The French have put it about that he is a German Jew, a fact of which he is quite aware, as Tangier is a very small place, and one which shows that they are put out by his arrival. They had hoped to have things all their own way with Father Denning. (Written in 1922.)

Owing partly to the intrigues of my French colleague the relations between Mr. Denning and Mr. Mayer have been somewhat uneasy. Mr. Denning is a perfect child in diplomacy, he is easily frightened, and does not seem to know his own mind from one minute to another. I cannot honestly say, however, that he has shown any sign of falling under French influence.

CHAPTER II.—THE FRENCH ZONE.

French Policy in French Zone.

[W 1124/1124/28] No. 43.

Mr. Robertson to the Marquess Curzon of Kedleston.—(*Received February* 12.)

(No. 30.)

HIS Majesty's agent and consul-general at Tangier presents his compliments to the Secretary of State for Foreign Affairs, and transmits herewith copy of a despatch from Consul Heathcote Smith, Casablanca, reporting on a conversation with Marshal Lyautey.

Tangier, February 5, 1923.

Enclosure in No. 43.

Consul Heathcote Smith to Mr. Robertson.

(No 9.)

Sir, *Casablanca, January* 22, 1923.

I HAVE the honour to report that I had the opportunity last week of a conversation with Marshal Lyautey, in the course of which he gave his views on the government of Moslem subject races and other questions. I give an approximate résumé.

2. *The Government of Moslems: General Principles to be Understood.*

"Practically nowhere are the Moslems ripe for self-government, and the present phase wherein we European nations first conquer and then administer them is inevitable and wholesome. In so doing, however, if we are not to be the artisans of our own defeat, we must calculate wherein especially will lie the greatest obstacles to our domination after a first military victory has been achieved.

"No race once free and now subjected but longs, obscurely or clearly, for freedom. To hold this longing in check, to deaden it gently but effectively, must be the conscious aim of the dominating Power.

"What are the paramount qualities of nearly all Moslems? A fanatical respect for their religion and its observances, physical bravery, and a sense of personal dignity.

"The British and the French are both scrupulous in leaving untouched all appertaining to the Moslem's religion, while the French rather than the British are ready to overawe him by an early and vigorous display and usage of force, when unrest or disobedience manifest themselves.

"In the above respects there are no striking differences between British and French methods.

"The most important trait in all Mahommedans, however, is their personal dignity. I hold that in their manner of approaching this question the French achieve their greatest success, while the British record their greatest failure.

"To respect a Moslem's dignity, two factors are essential. First, the European himself must be dignified and secondly he must behave towards the better-born Moslem as though he recognised a social equal.

"The European should not only be a gentleman, he should be *souple*—gifted with an ease of manner which aims at and succeeds in putting the Moslem at his ease.

"I fully realise and admire the masterly qualities and brains of Lord Cromer and Lord Kitchener; but, in my opinion, both of these great men were too stiff, too cold, and too *hautains* towards the Egyptians. I believe the resulting lack of sympathy engendered by such demeanour has been responsible for much of the estrangement that thwarted and marred the desired co-operation of the Egyptians with yourselves.

"But how much worse is it when the European treats the Moslem with studied and calculated contempt. In pre-war days, when I was a general in Algeria, an Algerian Moslem of high rank, decorated with many distinctions—a man I had long known as a friend—said to me at the close of a banquet we had both attended, 'I can put up with the heavy taxation levied on me, and with many other disadvantages

my country suffers by her loss of freedom, but what wounds me and what rankles is that a man of my standing should be given so inferior a place at table.'

'It is paramount to treat Moslems with especial consideration in all questions relating to precedence, manner of address, decorations and ceremonial. Politeness and courtesy cost us no sacrifices, and we can always punish severely if need be; but discourtesy and curt indifference may cost us the loss of our hold on a country several decades before the otherwise appointed time."

Co-operation.—"I fail to grasp how co-operation can really be expected unless the more important members of the subject race acquire the language and imbibe the culture of the ruling race. The declared relations between the two must ever be those of a friendly master and his pupil; with the admitted prospect of the termination of the subordinate relationship of the pupil. Finally the parting must come: it should entail no rupture, rather should it be a gentle separation: and if the methods employed have been consistently wise and successful, these 'colonies' will remain firmly attached to the country that has nursed, mothered and schooled them—their attachment will be secured by the ties of pleasant traditions, of language (to some degree), of culture, of gratitude, of affection, and of common interests."

3. *France in Morocco.*

"It is my endeavour to practise towards the Moors the principles that I conceive essential in dealing with Moslems. While I *tutoye* my own staff from my generals down to my youngest *aide-de-camp*, I always address all educated Moors—including my three Moorish secretaries—with the most ceremonious *vous*. As you noticed, Si Kadour, the 'chef du protocole' and the sole Moslem present at this evening's dinner, was given almost the chief seat of honour. No Mahommedan has ever caused me to regret such recognition of their social standing.

"Since 1914 I have had trained at Fez and Rabat a certain number of young Moors chosen from the better-known families. The first harvest of ten I reaped this year; and I arranged for them all to visit France for one month. They were given opportunities of visiting all that France holds of best and greatest and were taught to realise that this nation, which is guiding their footsteps, has lived and striven gloriously through centuries of achievement. I even was able to arrange that certain of the old French families, as the Duc de Noailles and others, should invite them to their homes. In these châteaux they saw a side of French life that unfortunately the *colons* we have here are far from representing. There they saw families not only living a life sprung from fine traditions, but the presence of private oratories with their attendant chaplains astonished them into realising that in France religion has deep roots. I hold much to this; for the Moslems who label us as Christians cannot but think lightly of us in our disregard of Christianity.

"These young Moslems I have had at my table—one was present when Mr. Austen Chamberlain was my guest—and the charm of their manner is remarkable. I insist on this point, for the more a race is refined in its social intercourse, the more it feels sympathy or hatred for its foreign rulers according to the respect or contempt in which their personal dignity is held.

"The young Arabs whom I have had trained shall shortly take up posts in the domains and other departments, and the French officials will be reduced in numbers.

"As soon as the Moors can begin to stand really alone, then French officials will be diminished to a minimum—and eventually disappear.

"When will these conditions be realised here? In thirty years? In a hundred years? It is impossible to say, but the coming of the day is inexorable and our aim must be that we shall part voluntarily and as firm friends."

4. *War in Europe and War in the Colonies.*

(Marshal Lyautey also touched on two other subjects quite foreign to his dissertation on Moslem questions.)

"I consider war stupid, disgraceful and destructive. The European war was of this nature, and benefiting none, has harmed all. . . . . War in the colonies is, however, admirable. A civilised race advances against a region where misgovernment, anarchy, disorder, and the hundred and one drawbacks and ofter horrors of a primitive existence prevail. By the war a minimum of human lives are sacrificed; and thereafter roads, bridges, railways, towns and ports are built; life and property are made safe; the honour and liberty of all individuals are respected; and in due course of time, when the primitive people has ripened to maturity, it proves to be a new asset for civilisation. . . . ."

5 *Anglophilism.*

"It makes me angry to hear people declare themselves Anglophile or Anglophobe. I have many close friends among the English—and there are still more whom I admire without knowing them personally. I could say the same of the Belgians, the Italians. . . . .

"But I have no right to be Anglophile. As a Frenchman I can only be Francophile—the rest is nonsense.

"In respect of all other nations, the interest of your own country as you conceive it at any particular period can alone decide your attitude. . . . ."

6. *Comments.*

I would refrain from other than one brief comment on the above.

With regard to the Moors, the marshal lives up to the policy he has set himself and he has won their personal affection. He realises, however, that his subordinates are imbued with less zeal than himself and that after his departure his policy is in some danger of reversal.

The comparative state and luxury which characterise his Residencies and his receptions are maintained with the express object of showing the Moor that France, too, though a republic with an unornamental *bourgeois* as Head of the State, honours her chiefs and leaders with a display of ceremony and of pomp.

I have, &c.

C. E. HEATHCOTE SMITH.

[**W 2076/2076/28**] No. 44.

Mr. Robertson to the Marquess Curzon of Kedleston.—(Received March 19.)

(No. 96.)

HIS Majesty's agent and consul-general at Tangier presents his compliments to the Secretary of State for Foreign Affairs, and has the honour to transmit herewith a copy of a despatch from His Majesty's consul at Casablanca, enclosing a memorandum on the Grand Kaids and the division of power in Southern Morocco.

Tangier, March 13, 1923.

Enclosure in No. 44.

Consul Heathcote-Smith to Mr. Robertson.

(No. 39.)

Sir, *Casablanca, March* 8, 1923.

I HAVE the honour to transmit herewith a memorandum I have prepared on the Grand Kaids and the division of power in Southern Morocco.

I have, &c.

C. E. HEATHCOTE-SMITH.

Memorandum on the Division of Power in Southern Morocco.

THIS memorandum is prompted by the fact that during my recent brief visit to Marrakesh I was furnished with information tending to show a considerable displacement of power is in course of progress in the Southern Atlas and beyond.

Actually, this displacement has no other than local importance; potentially, it may become of abundant interest.

The data obtained are admittedly insufficient and, what is worse, not definitely corroborated; they are recorded as an approximate estimate of the present situation in the south, which may serve as a basis for a thorough examination at a subsequent date. It is regretted that the attempt to present a complete picture necessitates recapitulating in some cases facts that are of common knowledge.

2. *The Three Stages of Government in the South.*

France has never conquered the Southern Atlas. After Colonel Mangin's brilliant defeat of the Pretender from the south, El Hiba, in 1912, followed by the rapid seizure of Marrakesh, the French, utilising their military prestige to the utmost, inaugurated the bold policy of holding the country by and through the Grand Kaids, or Moorish tribal overlords. In consequence, by a series of amiable fictions, Marshal Lyautey has succeeded in subduing, by proxy, half of the most turbulent portion of Morocco without a trial of strength and with the firm conviction that able strategy and time will obviate the eventual necessity of any such trial.

The Grand Kaids, who hold feudal overlordship in vast districts east, south and west of Marrakesh, having individually succumbed before the combined onslaught of French military prestige, French promises of personal power, and French gifts of money and high office (with full liberty to abuse its privileges), carried with them in their submission the tribes within their orbit. These, in their turn, form a barrier, reinforced by French prestige, against turbulent neighbours further afield who might be minded to attack them.

Thus, so long as this compromise suits the French and the kaids, and does not bear too intolerably upon the tribes misgoverned by the kaids, all will go well; but it is in its very essence a makeshift arrangement, and in its modification a master-hand will be needed if a critical situation is to be turned with safety.

In North and West Morocco the protectorate is that of the French protecting the Moors; in the south, in point of present fact, it is that of the Grand Kaids protecting a handful of French civilians and soldiers.

In some districts, where the kaids' writ does not run, the French have gradually established military posts and intelligence officers, and aim at eventually wielding a permanent influence.

Again, in some areas directly under one or other of the kaids, intelligence officers have been established; these are quietly working to sap away the kaids' exclusive authority; thus, an officer was sent some two years ago to Amizmiz, in the Goundafa region, and another is now to be established at Telouat, the kasbah of the Glaoua district. Notwithstanding this, nearly all the regions owing allegiance to one of the Grand Kaids would, in time of emergency, respond to his call rather than to that of the French.

There are, then, three distinct classes of area in the south of Morocco:—

(*a.*) Those owing allegiance to one of the Grand Kaids;
(*b.*) Those partly under French influence, but outside the orbit of the kaids; and
(*c.*) Those wholly independent.

The kaids or leaders of the tribes in areas (*b*) and (*c*) have either only a local importance or are in regions too distant to make their political weight felt as far north as Marrakesh in times of peace.

3. *The Respective Powers of the Four Grand Kaids.*

The Grand Kaids, those with whom French policy has been playing since 1912, are the representatives of four main families, and they possess a real importance in the administration of the protectorate. Being Moors, they live in a state of reciprocal jealousy and mutual distrust, so that, normally, disunion and discord reign among them; but, should the miracle happen and unite them, they would be formidable enemies for the French, as their sway, extending over territory more than 200 miles from east to west and of an average breadth of above 100 miles, embraces many regions of extreme fertility and well populated, and also the impenetrable fastnesses of the Great Atlas.

It would seem, therefore, that safety for France would lie in preventing any one of the four chief kaids from acquiring an excessive relative importance in comparison with his neighbours.

Whether so or not, one of the four has been suffered to bring within his orbit an area, which, in extent, population and wealth would appear to surpass the combined areas of his three rivals.

This powerful kaid is by name El Hadj Thami Glawi; his three rivals are Abd-el-Malik 'Mtoughi, Si Bouchaib Goundafi and Layadi-bil-Hashmi.

The first three are all of old Berber families and come respectively from districts bearing their name—Glawa, 'Mtougha and Goundafa. The fourth rose to distinction some years before the French occupation, having first made his mark as a highway robber. His district is that of the Rehamna, due north of Marrakesh

(a.) *El Hadj Thami Glawi*, by suitable marriages, by inheritance from his brother, Si Madani, by adroitness, and at times by force or threat of force, has attained to the overlordship of an immense territory. Having acted loyally to the French in the crisis of 1912, he has been richly rewarded and is to-day Moorish Governor or Pasha of Marrakesh. Several of his fiefs he holds through his relatives, and all of these at present bow to his will. Hadj Thami Glawi, a dark-skinned Berber of some 40 years of age, is clever and inscrutable, daring and warlike, corrupt and avaricious, and is endowed with much personal prestige; quite unscrupulous, he has hitherto maintained a loyal attitude to the French.

One of his brothers, Si Hassi Glawi, is Governor of the Jewish Mellah at Marrakesh; he is of no importance. Another brother, Si Hamadi, lives south of the Atlas at Ouarzazat, seldom visiting Marrakesh. He is an oldish man, a leper and of a timid disposition; he, too, is of no account. A nephew, Si Hamou Glawi, however, is a factor of interest. In appearance a white man, and barely 30 years old, he possesses a powerful character, and Hadj Thami is believed to have a wholesome respect for him. However, there has been no open clash between them, and Si Hammou acknowledges his uncle's leadership.

The following table shows the distribution of the lands owing allegiance to the Glawi, and the particular member of the Glawi family administering them: (Reference map "Maroc, 1 : 1,500,000," published by the Service géographique du Maroc; price, 2 fr. 75 c.).

Glawi Zone of Influence.

Actual Chief or Administrator.	Name of Tribe.	Position.
1. El Hadj Thami Glawi (Referred to as H.T.)	Town of Marrakesh .. .. (Is Pasha of the town)	35° 6′ N./11° 24′ W.
2. Ditto	Ahmar (part of) .. .. (Partly under two independent kaids, partly a fief of H.T., especially divisions Maacho and Bou Senan—not identified)	35° 24′ N./12° 18′ W.
3. Ditto	Menabha .. .. (Guich or Crown lands now administered by a khalifa or deputy of H.T. in his quality of Pasha of Marrakesh; men for Makhzen army came from these lands)	35° 30′ N./11° 48′ W.
4. Ditto	Oudaia .. .. (Ditto)	34° 54′ N./11° 55′ W.
5. Ditto	Oulad Delim .. .. (Ditto)	35° 24′ N./12° 0′ W.
6. Ditto	Harbil .. .. (Ditto)	35° 18′ N./11° 48′ W.
7. Ditto	Mejjat .. .. (Ditto)	34° 54′ N./12° 12′ W.
8. Ditto	Frouga .. .. (Ditto)	34° 48′ N./11° 54′ W.
9. Ditto	Tameslhout .. .. (Village and sanctuary under a weak and drunken Shereef, El Hadj Said)	34° 55′ N./11° 36′ W.
10. Ditto	Chichaouen (northern half) .. .. .. (Chief Bimba is under H.T.'s sway)	34° 54′ N./12° 18′ W.
11. Ditto	Mesfiwa .. .. (Rich district called the Syria of Morocco, and reaches to M'Ntain crest)	34° 48′ N./11° 6′ W.
12. Ditto	Entifa .. .. (Partly under H.T., partly under two independent kaids)	35° 48′ N./10° 18′ W.
13. Ditto	Oultana .. .. Embracing—	35° 18′ N./10° 24′ W.
	(a.) Demnat	35° 18′ N./10° 30′ W.
	(b.) F'touaka	35° 12′ N./10° 36′ W.
	(c.) Touggana .. .. (H.T. married the daughter of Ould Bilagha of Demnat; his influence stretches towards the Ait Messat (in or beyond the Atlas))	35° 0′ N./10° 42′ W.
14. Ditto	Mezguita .. .. (Beber tribe, whose chiefs are in direct relations with H.T.)	35° 24′ N./ 9° 48′ W. 34° 24′ N./10° 0′ W.
15. Ditto	Ait-ou-Guemmez .. .. (Ditto)	35° 0′ N./ 9° 36′ W

Actual Chief or Administrator.	Name of Tribe.	Position.
16. El Hadj Thami Glawi (Referred to as H.T.)	Ait Zineb .. .. (Ditto)	34° 24′ N./10° 48′ W.
17. Ditto . ..	Ounein (southern half) .. .. (Ditto, taken from the Goundafa)	34° 18′ N./11° 42′ W.
18. Ditto	Hammada .. .. (A Sahara tribe now in relations with H.T. though three-fourths independent)	34° to 35° N./6° 30′ W
19. Kaid Larbi Aderdor ..	Ras-ul-Wad, embracing—	
	(a.) Zenaga	33° 42′ N./10° 48′ W.
	(b.) Ait Zemmeg	34° 6′ N./11° 42′ W.
	(c.) Rahala .. .. (Kaid has a house at Marrakesh, and is very influential; formerly with Goundafi, now with H.T.)	34° 18′ N./12° 0′ W.
20. Kaid Hadj Hamad-bin-Haidar Ould Muiz	Sous Region	33° 36′ to 34° 6′ N./12° to 13° W.
	(a.) Taradount	33° 48′ N./12° 24′ W.
	(b.) Talekjount	34° 12′ N./12° 12′ W.
	(c.) Haouara	34° 0′ N./12° 42′ W.
	(d.) Oulad Yahia	33° 48′ N./12° 24′ W.
	(e.) Menabha	34° 0′ N./12° 12′ W.
	(f.) Shtouka .. .. (Grand Kaid of Sous lives at Taradount, but has a residence at Marrakesh; powerful; at present henchman of H.T.)	33° 42′ N./13° 0′ W.
21. Si Hassi Glawi .. (Brother of H.T.)	Marrakesh Mellah .. .. (Governor of Jewish quarter of city)	35° 6′ N./11° 24′ W.
22. Si Hamadi Glawi .. (Brother of H.T.)	Ouarzazat .. .. (Lives south of the Atlas, and has no residence at Marrakesh)	34° 24′ N./10° 30′ W.
23. Ditto	Skoura .. .. (Noted for sweet figs)	34° 36′ N./10° 12′ W.
24. Ditto	Imerrane .. .. (Noted for sweet almonds)	34° 42′ N./10° 0′ W.
25. Si Hamou .. .. (Nephew of H.T.)	Glawa .. .. (Resides at Telwet, *i.e.*, Dar Kasbah-el-Glawi; rules over these Berber tribes in the interest of his uncle)	34° 24′ N. to 35° N./ 10° 48′ W.
26. Ditto	Ouzguita	34° 18′ N./11° 0′ W.
27. Ditto	Sektana	33° 42′ N./11° 30′ W.
28. Ditto	Sedrat	34° 48′ N./ 9° 24′ W.
29. Ditto	Dades	34° 48′ N./ 9° 42′ W.
30. Ditto	Ait Tifnout	34° 18′ N./11° 24′ W.

(b.) *Goundafa Zone of Influence.*—Very different from El Hadj Thami Glawi is Si Bouchaib Goundafi, whose fief, though perhaps the smallest of the four, is of considerable political importance. The Goundafi, who is of Shereefian descent, is now a man of nearly 75 years of age; his avarice and bitter hatreds have won him many enemies. He has never been considered as Francophile, and Marshal Lyautey barely hides the dislike he feels for him. Cunning and suspicious, he is a past-master in intrigue. Although, owing to his exactions, he can no longer rely on all the Guedmiwa tribes, a proportion of whom openly disregard his authority, he is said to control several thousands of men armed with modern rifles in his Atlas fastnesses (this number was given on good authority as 11,000). He has amassed considerable wealth, which, hidden in coffers in his kasbah, forms his treasury and adds to his prestige. Goundafi frequently resides in his palace in Marrakesh, where his powerful name is feared and respectfully hated. On his death a question is likely to arise as to his successor, and this may afford the French an opportunity of carving into his domain.

Actual Chief or Administrator.	Name of Tribe.	Position.
1. Si Bouchaib Goundafi ..	Goundafa .. .. (A main track to the Sous country runs through Goundafa)	34° 24′ N./11° 48′ W.
2. Ditto	Guedmiwa .. .. (Partly in rebellion)	34° 30′ N./12° 0′ W.
3. Ditto	Ounein (northern half) .. .. (The southern half is with the Glawi)	34° 18′ N./11° 48′ W.

(c.) *M'Toughi Zone of Influence.*—The western neighbour of Goundafi is Abd-el-Malek M'Toughi, and he, too, is quite an old man. He is perhaps the most wealthy of all the kaids, having steadily extorted and put aside money during a long and unscrupulous career. As the Glawi and Goundafi, he, too, is a Berber, and, like many of his race, has a distinct vein of humour in his outlook. A son, Si Ibrahim, aged under 30, appears destined to succeed him. His territories are really vast, and embrace the foothills and plain sweeping away from Goundafa westwards to the Atlantic. By reputation M'Toughi is friendly to the French occupation, and he is left by them a fairly free hand. He, too, has his palace at Marrakesh and a castle, or kasbah, at Bou About, 34° 42′ N./12° 48′ W.

Actual Chief or Administrator.	Name of Tribe.	Position
1. Abd-el-Malek M'Toughi	M'Tougha	34° 36′ N./12° 54′ W.
	(Up to the Atlas as far as the pass of Tizi Machou)	34° 24′ N./12° 24′ W.
2. Ditto	Haha	34° 18′ N./13° 12′ W.
3. Ditto	Chiadma	35° 0′ N./13° 0′ W.
	Embracing—	
	(*a.*) Kourimat	35° 12′ N./12° 48′ W.
	(*b.*) Meskala	34° 54′ N./13° 0′ W.
4. Abd-el-Malek M'Toughi	Chichawen (southern half)	34° 48′ N./12° 18′ W.
	(Northern half to the Glawi)	
5. Ditto	Ida-ou-Zal	34° 12′ N./12° 24′ W.
	(A detached tribe on the southern slopes of the Atlas)	

(d.) *Layadi Zone of Influence.*—The fourth Grand Kaid is an Arab, Layadi-bil-Hashmi, of the Rehamna tribe. In years approaching 50, he has had a chequered existence; at one time a supporter of Mulai Hafid, he lent himself to acts of common pillage to gain money for their cause. To amass his fortune he has squeezed his vassals with adroitness; he is methodical, and, unlike his three compeers, he settles his accounts and is said to live free from money troubles. At one time warlike, he has behaved peaceably since the French occupation, though he resents their presence. His territory lies to the north of Marrakesh and borders regions under the organised civil administration of the protectorate. Unlike the fiefs of the other Grand Kaids, Layadi's lands are rolling plains with no hills of importance, and the French exercise a somewhat close control over his actions and exactions.

Actual Chief or Administrator.	Name of Tribe.	Position.
1. Layadi-bil-Hashmi ..	Rehamna	35° to 36° N./11° 30′ W.
	(Has a palace in Marrakesh and a kasbah at Oulad Slame)	
2. Ditto	Oulad Slame	36° 6′ N./11° 24′ W.
3. Ditto	Sraghna	35° to 36° N./11° 0′ W.
4. Ditto	Zemran	35° 0′ N./11° 0′ W.
	(South border is Zaouia Si Rehal, where the Glawi begins)	

(e.) *Tribes partly under French Influence.*—Many territories, while under chiefs who own no sort of allegiance to any of the Grand Kaids, are being nibbled at by French political and intelligence officers without, however, having suffered an actual military occupation. In these districts the tribes, to forestall French aggression, make the first overtures of peace, and are then left to themselves but for the presence of one or two French officers.

Name of Tribe.	Position.	Remarks.
1. Ida-ou-Tanan ..	34° 0′ N./13° 0′ W.	It is believed that the 1923 military programme provides for their submission.
2. Douimenia	35° 0′ N./ 5° to 7° W.	Approached from the Algerian frontier.
3. Todra ..	35° 12′ N./ 8° 48′ W.	
4. Ferkla	35° 12′ N./ 8° 0′ W.	
5. Beni Mellal	35° 48′ N./ 9° 48′ W.	Partly subdued in the 1922 operations.
6. Ait Ichkern .. .. (part of)	36° 18′ N./ 9° 0′ W.	Ditto.
7. Ait Tseghouchen .. (northern half)	36° 12′ N. to 37° N./ 7° to 8° W.	Ditto.

(f.) *Wholly Independent Tribes.*—The names of a few tribes which so far owe allegiance nowhere are added, in order to indicate roughly the outline of the independent fringe bordering the controlled and partly controlled regions.

Name of Tribe.	Position.	Remarks.
1. Ida-ou-Blal	32° 48′ N./11° 0′ W.	Arabic-speaking.
2. Ida-ou-Mahmoud ..	34° 18′ N./12° 24′ W.	A detached group on the Atlas heights surrounded by subdued tribes.
3. Oussiki	35° 0′ N./ 9° 18′ W.	
4. Ait Atta ..	34° 24′ N./ 9° 0′ W.	A powerful group.
5. Ait Haddidou ..	34° 24′ N./ 8° 30′ W.	
6. Tafilelt	34° to 35° N./ 7° 18′ W.	A populated oasis.
7. Ait Morghad	35° 24′ N./ 8° 0′ W.	
8. Ait Tsegouchen .. (southern half)	36° 0′ N./ 7° 0′ W.	
9. Oulad Naceur	35° 48′ N./ 6° 0′ W.	

(g.) No attempt has been made to estimate the numbers of the population, of the fighting men and of the modern rifles or old firearms among these various tribes.

As a glance at the accompanying rough sketch map* will show, the lands of El Hadj Thami Glawi almost encircle those of Goundafi, and are immensely greater than those of M'Tougha and Layadi.

All four kaids have great wealth; but the Glawi spends vast sums in pomp and extravagance; this forms a potential curtailment of his power, as he is usually in financial difficulties. On the other hand, the secretive habits of Goundafi and M'Toughi may gain for them large reserves of coin, but deprive them of the widespread glamour of the prestige of a grand seigneur that attaches to the Glawi throughout Morocco. It is doubtless this that has permitted him to establish successful liaison with a Saharan tribe of the type of the Hamada.

4. *Relations between the French and the Kaids.*

How exactly do the kaids acquire their power, and what situation is it tending to produce? The French, in return for the right to exact in theory an effectual obedience, have allowed the kaids almost *carte blanche* in their territories, that is, in practically all Morocco southwards from latitude 36° N. The Layadi's fiefs are now a military administrative zone; those of the other kaids are partly "political zones," partly under the exclusive jurisdiction of the kaids, who collect all taxes, inflict punishments, impose fines; and, though a part of these taxes collected in the "political zones" are remitted to the protectorate authorities, the kaids in effect remain undisputed and unchallenged overlords.

The French know full well that abuses of the most reprehensible kinds are the order of the day. When local outcry is particularly loud they may send a representative to hold an enquiry, on which, provided it be deemed politic, they will reprimand the tyrant kaid.

If the French went too far in undermining the kaids' authority, however, they would need to replace it by their own; this might mean fighting or a military

* Not reproduced.

occupation. For this they are not at present ready. Consequently they are frequently compelled to uphold the kaid in his abuses.

But this policy has its useful side for the French. If sufficient resentment against the kaid be maintained and fostered, the French see in it a guarantee against co-operation between the tribe and the kaid against themselves.

Thus present danger may be averted through the natural tendency of the kaid to oppress his own vassals, while every year it becomes easier to penetrate the kaids' territories, and build up quietly within them a pro-French party.

For though the Berbers of South Morocco all have a love of independence, those under the kaids' rule think in terms of personal rather than of tribal or national liberty. To-day the pressing need for most of them is not to lower the French tricolour which flutters harmlessly over the Marrakesh citadel, but rather to wrest themselves free from the oppressing exactions of their unscrupulous kaids.

They hear with envy of the relative security from the kaids' oppression enjoyed by Moors in the districts governed by the French, and their immediate wish would be relief from the kaids' tyranny. In many instances tribes have begged for the presence of a Frenchman to restrain and control their native masters.

Further, Marshal Lyautey by his formidable military and civil achievements has made the name of the Frenchman immensely respected, and in some districts the advent of the advancing French wave is looked upon as something inexorable before which eventual submission is inevitable.

From the kaids' point of view there is much to be said in favour of the present situation. Formerly he was free to oppress, extort and run amok within his tribe to his heart's content; to-day he is almost granted the same liberty.

But whereas formerly either the tribe would rise and fight him or they would call to their aid a rival chief, or even the Sultan might intervene and do away with the offending kaid, to-day redress by their own initiative is useless, for the kaid is upheld by the French. Consequently the most that can be hoped for is the palliative of the presence of a French officer; and this is by no means always forthcoming, and if forthcoming, often fails of its purpose.

For the French protectorate dare not and do not mean to break with the kaids at present. The most they can do is to play off one kaid against the other; and this, too, is a game full of explosive danger.

5. *The Situation in Course of Creation.*

Had the Grand Kaids the fierce fire of patriotism that, for example, inspired the Serbians in their war of independence against Turkey, the present situation could never have materialised.

The kaids all of them have been and are opportunists. Their personal interests—amassing wealth, and in the case of the Glawi the love of luxury and enjoyment also—have absorbed them. But the thought of recovering independence when feasible certainly lies deep down in their thoughts. The fact that the Berbers, though warlike, are in many respects pleasure-loving children would be favourable to any eventual movement against the protectorate. For being children, the Berbers quickly forget and quickly wax enthusiastic in a new cause. Should ever the signal be given, old rancours, old grievances would be rapidly buried, and a horde as fanatical as El Hiba's followers in 1912 would march against the infidel.

For eleven years under Marshal Lyautey the kaids of Morocco have been treated with the respect due to men of standing; unlike French policy followed in Algeria, here the Moslems have been made much of. They have been made to understand by word and by deed that they are fitting instruments of authority—leaders of importance on whom the French must lean.

They are *au courant* with European politics; they see the dissensions in Western Europe; they witness the arrogant defiance and rapid rise of the Turk in Oriental Europe, and it is a matter of public knowledge that French military effectives in the country are to be reduced in the near future.

Whereas they never could formulate the ideal of a united Morocco in the days of the Makhzen, since Lyautey's advent this ideal has daily become a growing reality.

For opportunists but two factors are lacking, whereby a vast upheaval against the French could be successfully initiated, though the ultimate failure might be a foregone conclusion. The first is the presence of an inspired fanatical Moorish leader endowed with the necessary prestige, and the second is that France be involved in difficulties in Europe compelling a big reduction of her garrison in Morocco; and even

this latter fact would be of little avail so long as Marshal Lyautey with his formidable reputation still commands the French arms.

None of the Grand Kaids to-day appear to offer the requisite qualities of leader, however much El Hadj Thami may be the outstanding figure in the situation; and unless a second El Hiba emerges soon from out the reservoirs of men dormant in the half-explored lands south of the Atlas, in the Sous and beyond—and barring a grave error in French policy striking an untimely blow at the present delicate equilibrium—we may look for many years to come to a gentle crumbling of the kaids' power before the erosive action of the creeping French advance. When one or two decades later a new generation steeped in the principles of the "subordinate equality" of Moslems preached by Lyautey, and possibly in the principles of the Moslem supremacy preached by Turkey has reached maturity, the ideal of a united Morocco may find many champions; and at that date not the unconquered South may be at stake, but the whole of the regions wrested from the Moors at the sacrifice of French blood and French treasure.

The combination of factors, however, is to-day all in favour of the French, who aim by the subtle narcotic of their policy at paralysing the sources of energy of the kaids, and turning the warrior Berber chiefs into puppet lordlings.

C. E. HEATHCOTE-SMITH.

March 8, 1923.

CHAPTER III.—THE SPANISH ZONE.

(a.) Spanish Policy in Spanish Zone.

[W 242/44/28] No. 45.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received January* 9, 1923.)

(No. 835.)

My Lord, *Madrid, December* 30, 1922.

IN his despatch No. 819 of the 21st December, Mr. Wingfield reported that discussions were taking place between General Burguete and members of the Cabinet with regard to the future policy to be followed in Morocco. The upshot of these discussions was, as I had the honour to inform your Lordship in my telegram No. 191 of the 26th December, that it was decided to appoint a civilian High Commissioner, in the person of Don Miguel Villanueva, to replace General Burguete in Morocco, with a policy of peaceful development in the regions already pacified; the military operations against the independent tribes being brought to an end, which will doubtless involve retirement, in the areas where submission has not yet taken place, on to a limited number of strategic positions, the tribes being left elsewhere to their own devices, in the hope that they may in the course of time come to see the advantages of Spanish civilisation and voluntarily enter into closer relations with the parts of the protectorate under the actual control of the Makhzen of the Khalifa.

I have the honour to enclose herewith a translation of the official notification on this subject given to the press by the Prime Minister.*

This announcement has had a favourable reception from all shades of political opinion, as represented by the press, though notes of alarm have been struck with regard to three aspects of this question. In the first place, it is feared by some that Raisuli, taking advantage of the very favourable terms on which he submitted, and of the loss of prestige resulting to the Spanish army from the present confession of impotence to enforce their will in the Riff, will acquire a preponderating position in the western part of the protectorate, thereby destroying the whole of the results of the campaigns in that theatre, which were within sight of final and complete success when this (according to these critics, who represent the opinion of the army in Morocco) disgraceful agreement was signed. Belated criticism on these lines has been published in the columns of the "A.B.C." from the pen of Don Manuel Aznar, ex-editor of the "Sol," whose views, at all events as expressed in conversation at the time of the severance of his relations with the latter journal, have at times sounded strange in the mouth of a leader of Liberal thought. In his letter to the "A.B.C.," Don Manuel takes the line that, after the agreement with Raisuli, the Spanish army in that *secteur* is considered by the Moors as a defeated army, and should be totally withdrawn from the protectorate to the old *places fortes* on the coast, as its position in the interior will have been rendered an impossible one.

Secondly, there have been suggestions in the press that the French Government might have strong views with regard to the cessation by the Spaniards of all active operations against the Riff tribes, which would at once become dangerous neighbours for the French protectorate, lending aid to insubmissive tribes across the border, if not actually committing acts of aggression themselves. Statements that negotiations are in progress between the French and Spanish Governments on this subject have appeared in the press to-day, and it has been pointed out in this connection that Señor Quiñones de Leon, Spanish Ambassador in Paris, is at the present moment in Madrid.

Thirdly, there have appeared, in the "Sol" and elsewhere, statements to the effect that this new orientation in the country's Morocco policy was to be accompanied by a thorough reorganisation of the Spanish army, as a first instalment of which the Government was about to publish a decree closing the military academies. This rumour did not fail to produce a stir in military circles, where the actual prospect of army reform, though lip service is done to the need for it in theory, is looked upon with the most profound aversion. A somewhat menacing article has appeared in the "Correspondencia Militar," which is the recognised organ of the now suppressed "Juntas Militares," and rumours are afloat as to the possibility of a revival of these juntas. In the meantime,

* Not printed.

nothing has been done about the military academies, but it is said that a reduction in the number of students taken in each term, not their total closure, is the measure in contemplation. It is very evident that the country has been profoundly impressed by the proofs, so painfully brought home to all, that the Spanish army is valueless for offensive or defensive warfare. On the other hand, as its political influence is clearly deplorable, it evidently constitutes a danger to the State without serving any useful purpose. But the first step towards reform must admittedly be a large reduction in the very excessive number of officers, not only of the many senior ones drawing general's and colonel's salaries, though unemployed, but also of the redundant juniors, who seldom appear on parade, and in many cases eke out exiguous salaries by engaging in other professions. It is said, for instance, that there are some who keep shops, even in time of war, in Melilla, and naturally grudge the time spent with their regiments. But the army officers have no desire for the introduction of reforms, which would spell retirement for many of them and harder work for the remainder, and the Government may find them very hard to deal with, particularly in view of the love of intrigue and of ingenious combinations ingrained in the Spanish character, which will ensure that the officers will always be able to find civilian friends to support them in a policy of resistance to authority, either amongst Republicans, by raising some anti-monarchical issue; or amongst the Labour extremists, on frankly anarchical grounds; or amongst Conservatives, on the plea that the army is being destroyed by a Radical Government, a plea that the Opposition would doubtless listen to with as much sympathy as was exhibited towards the infantry juntas by the Liberals when they were out of office. Though, therefore, the country is as unanimous in desiring army reform as it is in desiring the exaction of "responsibilities" for the Annual disaster, it may prove a very long and difficult task to translate either of these aspirations into concrete facts.

There is unquestionably a feeling of profound dissatisfaction abroad in all classes with the mismanagement of their Morocco policy by successive Governments, and with the stagnation of political, social, financial and army reform in this country. Newspapers of every political colour voice this feeling, and during the last few months I have noticed for the first time in private conversations with persons of the upper ranks of society an inclination to criticise the King of Spain as being partly, if not largely, responsible for this state of things. This is a most unfortunate tendency, since, as I have pointed out in previous despatches, the monarchy appears to be the one permanent and stable factor in Spanish politics, and anything which tends to reduce its prestige is much to be deplored. As an example of this tendency, I would mention that the stories which were being repeated about the King having a large share in the responsibility for the Annual disaster are again current, and it is stated that it will be impossible for any monarchical Government ever to bring home to the real authors of that misfortune the proper consequences of their action on account of the share which the King is supposed to have had in the policy which led up to it.

However this may be, I can but say that on returning to Spain I have a feeling that, for one reason or another, the situation is more disquieting and uncertain than it has been for a considerable time.

I have, &c.
ESME HOWARD.

[W 632/44/28] No. 46.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received January* 23.)

(No. 44.)

My Lord, *Madrid, January* 19, 1923.

WITH reference to my despatch No. 855 of the 30th December last, I have the honour to transmit to you herewith summary of a Royal Decree, dated the 17th January, suppressing the post of Commander-in-chief of the Spanish army in Africa.

I have, &c.
ESME HOWARD.

Enclosure in No. 46.

Summary of Royal Decree, dated January 17, 1923, Suppressing the Post of Commander-in-Chief of the Spanish Army in Africa.

AFTER the conventional preamble, which sets forth the necessity, in view of the appointment of a Civil High Commissioner in Morocco, of relieving him of the general command of the army in the Spanish Protectorate, the decree proceeds as follows:—

Article 1. The post of Commander-in-chief of the Spanish army in Africa, formerly one of the functions of the High Commissioner, is suppressed, and the headquarters of the command in question will cease to exist as such at the end of the present month.

Art. 2. The military forces will be divided in future into two separate districts, to be called the Eastern and Western Commands, which will be under the immediate orders of the General Officers Commanding at Melilla and Ceuta respectively, the generals to reside in the places named.

Art. 3. The boundary of the eastern and western military districts will be the course of the River Bades, the Peñon de Velez de Gomera being allotted to the western district.

Art. 4. The General Officers Commanding at Ceuta and Melilla will carry out in their respective districts the policy which the High Commissioner may indicate, and will be under his orders in all matters pertaining to the protectorate, applying military measures where necessary in accordance with the orders which they may receive from the High Commissioner from time to time. These provisions, however, are not to interfere with their direct communication with the Minister of War.

Art. 5. In all matters referring to recruiting, administration, supplies and auxiliary services the General Officers Commanding at Ceuta and Melilla will, as commanders of military districts, be under the direct orders of the Minister of War to whom they will furnish all routine reports, but they will seek the permission of the High Commissioner for proposals of extraordinary character, which must meet with his approval, and of which they will furnish him with full information.

Art. 6. Under the direct orders of the High Commissioner there will be a Military Cabinet, the head of which may be a general of division or brigade, with a staff to be determined by the Minister of War. It will be the duty of this Military Cabinet to advise the High Commissioner on all points upon which their opinion is asked, and to form a liaison between the High Commissariat and the military commands, and between the military commands themselves, also with the Ministry of War in all matters which may not have been reported direct to that Department

Art. 7. The Larache Command is to be suppressed. A military command is to be set up with the appropriate auxiliary services which are to be fixed by the High Commissioner in this district, and will be under the orders of the General Officer Commanding at Ceuta.

Art. 8. All papers belonging to the suppressed headquarters of the Commanders-in-chief of a military nature will be sent to the headquarters of the command at Ceuta for preservation. Those of a political nature will be deposited in the secretariat-general of the High Commissariat. Any material of the said suppressed headquarters will be sent to the headquarters at Ceuta for storage until its final destination has been decided upon by the Minister of War. Everything belonging to the newly established Military Cabinet will be on the charge of the High Commissariat.

Art. 9 The Minister of War is authorised to arrange, subject to the approval of the High Commissioner, the necessary details for putting into execution the provisions of this decree.

Art. 10. All previous dispositions which are in opposition to the present decree are annulled.

[W 997/898/28] No. 47.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received February 6.*)

(No. 66.)

My Lord, *Madrid, January 31, 1923.*

THE great event of the past week has been the ransom and liberation of the Spanish prisoners who have been ever since the disaster which befell the Spanish army in 1921 in the hands of the Riff rebels As your Lordship will remember from many previous reports, this is one of the questions which has exercised and troubled succeeding Spanish Governments ever since that date. As is usual with the Spanish policy in Morocco, it seemed impossible for any of these Governments to take any decision, and there is no doubt that the military operations were sadly hampered by the knowledge that these prisoners were in the hands of a barbarous enemy.

Very soon after they were taken prisoners the question of their ransom was debated, but in the early days the Spanish Government rejected it on the grounds that the money demanded would only go to supply the Riffs with arms and so prolong hostilities. It was then of course hoped that the Riff country could be subdued by force. Gradually as this hope disappeared the ransom of the prisoners became a more and more urgent question; it was loudly demanded by public opinion, and it seemed to be the only practical way out of the difficulty. But then came the question of prestige as well as the difficulty of meeting further demands, besides a payment in cash, which the Riffian leader, Abd-el-Krim, at one time put forward as conditions for their release. Various unofficial and ostensibly unauthorised persons started negotiations which invariably broke down either because these persons had not the necessary authority or because there was not the necessary goodwill on the one side or the other. For a long time past the Spanish Government had been paying a bonus to Abd-el-Krim amounting to about 50,000 pesetas a month to allow convoys of food to go through to the prisoners, who were reported to be on the verge of starvation. It is more than doubtful that the greater part of this food never reached them. Finally when the late Government made up their mind that there must be an end to hostilities and with that object made peace with Raisuli and practically reinstated him in his previous position in the western sector, it became obvious that it was useless to ride any longer the high horse of prestige and that the best thing to do would be to come to an early agreement with Abd-el-Krim for the release of these unfortunate men and women, for there were also a certain number of women among them, on the best terms that could be obtained. It was then that an exceedingly rich Bilbao shipowner and banker, Don Horacio Echevarrieta, came into prominence as the probable negotiator for the conditions of their release. He had frequently been to Morocco before, having considerable interests in the Riff mines, and it appeared he had the confidence of Abd-el-Krim, so much so that Abd-el-Krim stated he would not deal any longer with the Spanish Government but only personally with Señor Echevarietta, who thereby made himself personally responsible for the payment of the ransom demanded. This amounted finally to 6,000,000 pesetas, the number of prisoners living being reduced, I believe, to something like 535.

For some days past the newspapers had been full of rumours of the early release of the prisoners owing to the efforts of Señor Echevarrieta, and therefore when it was announced at the beginning of last week that he was about to leave Melilla on a steamer for Alhucemas Bay, where the prisoners were known to be congregated, public expectation reached its highest point. The embarkation of the prisoners was delayed for a day or two by a severe Levanter, and even when they were embarked it was done with considerable difficulty and some were in danger of being drowned.

On the 27th January, however, the newspapers were able to report that the embarkations had been completed and that the prisoners had reached Melilla on the previous day. The accounts of the state of the prisoners are harrowing in the extreme; some of them appear to have fallen by the way on the march to the coast from weakness and fatigue and to have died, and one, at any rate, died on board ship from weakness on the short journey between Alhucemas and Melilla. They are described in the press as looking more like ghosts than live men.

One of the most tragic features of the case is that presumably all of the officers, including General Navarro, who is responsible for the surrender at Arruit, will be put on their trial, and the severe sentence of eighteen years' imprisonment which has lately been passed on Colonel Gimenez Arroyo no doubt inspires their relatives and friends

with considerable fears as to their future. On this account the authorities, I believe, have decided that no special welcome shall be given to these unfortunate people on their return to Spain, and many of them are, I believe, to be kept at Melilla pending their trial, which, judging by previous experience of Spanish justice, may last for many months.

It may be noted that in view of the probable sentences against these officers many of the newspapers are again clamouring for enquiry on and trial, if necessary, of the civilian Ministers and others who may be considered to have shared their responsibility for the disaster at Annual.

I have, &c.
ESME HOWARD.

[W 1336/44/28] No. 48.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received February* 20.)

(No. 82.)
My Lord, *Madrid, February* 7, 1923.

THE Spanish Government in the last few days has been passing through one of those strange and sudden crises which originate in the Spanish army, and seem continually to threaten Spanish Governments at almost every turn. The origin of the present trouble appears to have been in the fact that the officers of the army, partly no doubt disgusted at the humiliation of their country, as evinced by the ransom of the prisoners, who had clearly been treated with every kind of barbarity by their Riff captors, and partly in many cases owing to the fact that they feared the army reforms which the present Liberal Government proposed to bring in, have attempted to rouse public opinion to a new warlike venture in the Riff, to wipe out, as they say, this national disgrace by a striking military success. These views have been supported in a press campaign of extreme violence by two of the leading Madrid papers, the Conservative "A.B.C." and the Maurista "Acción," which have, ever since the Spanish prisoners were liberated, continued to preach the necessity of some signal act of vengeance against their captors. It has been a matter of public knowledge that for several days past the officers of the army, who in this matter and in the demand for the trial of Ministers and other civilians whom they consider to be as responsible for the Moroccan disaster of the army as officers in command, have been holding meetings in Madrid and in other parts of the country with a view to forcing the hand of the Government in the direction desired by them. Whether or not they actually used any threats in case their policy was not put into execution is uncertain; but in any case, for the last two days the public has been exceedingly uneasy on account of the possibility of a military pronunciamento supported by the more hot-headed elements of the civil population.

Fortunately, however, once again, as in January 1922, public opinion throughout the country has declared strongly against any such policy of adventure, every leading Madrid paper, from the clerical "Debate" to the "Socialista," having declared that any further military action against the Riff would be simply an act of madness, since the country desires above all to re-establish peace and to reduce military expenditure. This being so, the Government held firm, and as a result of a long Cabinet Council yesterday afternoon issued an official communiqué after hearing the report of the Minister of War, who had previously been informed of the attitude of the garrison of Madrid by General Orozco, captain-general of the Madrid district. A meeting of the officers of the Madrid district had taken place in the morning, at which it seems these officers, owing no doubt to the practical unanimity of public opinion, had drawn in their horns and declared that there was no intention on their part of any action contrary to discipline or subversive of the civil power. At the same time it would seem that they laid before the Government the various motives of discontent in the army, and especially the strong feeling which existed with regard to the "responsibilities" for the Anual disaster being shared equally between civilians and military men.

The Government communiqué issued last night reads as follows: The Council of Ministers, which met to-day, has received with satisfaction the information communicated by the Minister of War, who confirmed the discipline of the military forces.

The Government unanimously reaffirmed their absolute determination to carry on the régime of a civil protectorate in Morocco which they adopted from the time of their formation, feeling certain of the co-operation which the army, with its high character, will give them.

Perhaps the most sensible utterance with regard to this peculiar crisis has been that of the newly formed Partido Social Popular, under the leadership of Don Angel Ossorio y Gallardo. In this the Partido Social Popular protests vigorously against the proposals to revenge by force of arms the barbarous treatment inflicted on the recently ransomed prisoners. Such atrocities, it said, could not surprise anyone, seeing that all knew that the prisoners were in the hands of savage hordes.

> "If, however, humiliating and painful as this was, several Governments could not avoid, remedy or attenuate this state of things in eighteen months, with an enormous army and unlimited expenditure, is it logical that we should undertake to avenge it now, at the very moment when we are trying to initiate a policy of peace and civilisation? . . . .
>
> "After what we have seen in the way of political mistakes, of military incapacity and of administrative immorality, Spain does not desire more fighting, but rather the repentance and amendment of those who have so disastrously brought about these things. Not to dissimulate and to juggle with the question of 'responsibilities' in every branch of the service would be better for Spain than the most successful warlike enterprises."

While, however, fortunately the Government may be congratulated for the moment on having ridden out this particular storm, there is no doubt that they will still have to face the exceedingly thorny problem of the "responsibilities," which is sure to be brought up once more as soon as the new Cortes meets. With regard to this, as I have pointed out before, the name of the King has been frequently mentioned, and articles are not lacking from time to time in the more advanced papers, stating that His Majesty's position must be fully cleared up. On the 4th instant Señor Lerroux, the head of the Republican Party, in a speech which he made at Alicante openly declared that it was monstrous that a man like Colonel Arroyo should be sentenced to a heavy punishment, while the civilians equally responsible should go free; and he declared that there was no article in the Constitution to prevent Spaniards from presenting themselves to the King and requiring him to abdicate, on the ground that during many years he had been unable to remove the ills from which Spain was suffering. It is hardly likely that the country will adopt this scapegoat theory of constitutional monarchy; but at the same time it is significant that Señor Lerroux should take up the point of view of the army for the punishment of civilians as well as officers, no doubt in the hope of obtaining support from the army, whose traditions in Spain have frequently been republican and revolutionary in the past.

I have, &c.
ESME HOWARD.

(b.) Claims of British Subjects and Protected Persons.

[W 1343/241/28] No. 49.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received February* 20.)

(No. 93.)
My Lord, *Madrid, February* 15, 1923.

I HAVE the honour to enclose herewith translation and copy of a note which I have received from Don Santiago Alba, Spanish Minister for Foreign Affairs, respecting the British claims in the Spanish zone of Morocco. I read this to mean that the Spanish Government now agree with the point of view of His Majesty's Government as to the general procedure to be adopted for the settlement of these claims as specifically set out in my note of the 11th September last to Señor Fernández Prida, copy of which was enclosed in my despatch to your Lordship, No. 646, of the 16th September. Not feeling, however, quite sure about the meaning of that part of his Excellency's note which referred to claims arising out of military operations and acts of rebels and bandits, I asked Señor Alba on the 12th instant if he intended to agree to the suggestion that all the claims should be submitted to M. Lardy or whoever was to be the arbitrator, but that the Spanish Government would reserve the right of arguing that claims of this category were not arbitrable, and that as regards these the arbitrator should first decide whether they were arbitrable or not, which

decision both Governments would accept as final, and only after such decision would the arbitrator proceed to examine these claims and pronounce his award. His Excellency told me this was his meaning. In order that there should be no doubt about this I then sent him a note, dated the 14th instant, of which I enclose copy, restating clearly my understanding of his meaning.

I venture now to ask whether your Lordship considers that it is necessary to set down in the form of a regular agreement or "compromis" the terms of reference to the arbitration of M. Lardy before that gentleman is asked by the British and Spanish representatives at Berne if he will act as desired.

In view of the fact that several notes between the Spanish Government and this Embassy have been exchanged on this subject since I addressed my note of the 11th February to Señor Fernández Prida and failed to get from him a straight acceptance, I am of the opinion that it would certainly be wiser in order to avoid all future misunderstandings to embody the terms of reference in an agreement between the Minister for Foreign Affairs and myself.

Should your Lordship concur in this view I shall be much obliged if you will send me instructions to inform the Minister for Foreign Affairs accordingly and forward me at the same time a draft agreement on the lines you desire, unless you agree to the tentative draft which I have the honour to forward herewith.

I have, &c.
ESME HOWARD.

P.S.—In drawing up the schedules of claims, I have used for purposes of reference the memorandum enclosed in my despatch No. 414 of the 25th June, 1920, both because it seems to me clearer than Mr. Atkinson's memorandum enclosed in your Lordship's despatch No. 571 of the 31st October, 1921, and because it is the form in which the claims have been submitted to the Spanish Government. I have added the three claims subsequently received from M. Ziat, Mr. Holliday and Messrs. Levy and Co. respectively. Your Lordship will no doubt cause the lists to be amended, should any claims be considered to have been allotted to the wrong schedule, and also to be completed, if there exist claims which have for any reason been omitted from my memorandum.

E. H.

Enclosure 1 in No. 49.

M. Alba to Sir E. Howard.

(Translation.)

Your Excellency, *Madrid, February* 2, 1923.

AFTER careful consideration of the note which the Chargé d'Affaires of His Britannic Majesty, Mr. Wingfield, addressed to my predecessor in the Ministry of State on the 29th November last, and sincerely desirous of giving to your Excellency and His Britannic Majesty's Government a proof of the friendly spirit in which I am prepared to deal with all matters under discussion at the present time between the Cabinets of Madrid and London, I have the honour to inform your Excellency that the Government of His Majesty agrees to the examination by either Señor Lardy or any international arbitral tribunal of the point which is referred to in the second paragraph of your Excellency's note, dated Zarauz, the 11th September last, as well as the sixth paragraph of Mr. Wingfield's said note.

I consider it necessary to explain to your Excellency that the precise terms of the question which His Majesty's Government, in friendly deference to the British Government, consents to submit to this new arbitration are as follows: to determine if the settlement of the claims resulting from military operations or from acts of rebellion or brigandage taking place in the Spanish zone of Morocco may or may not be referred by the Government of His Majesty to the jurisdiction of an arbitrator or a court of arbitration. It is to be understood that the Government of His Majesty will maintain its opinion with regard to the settlement of this question, to the effect that the examination and verdict of such claims cannot be left to a court of arbitration.

The only divergence which separated both Governments having thus disappeared as far as these questions are concerned, I have the honour to confirm to your Excellency the terms of the note which Señor Fernández Prida addressed to you on the 16th October last, and I am entirely at your Excellency's disposal for the purpose of an agreement as to the date on which the diplomatic representatives of His Britannic

Majesty and of His Majesty the King of Spain in Berne shall approach M. Lardy, by whatever means they may consider most suitable, in order that this gentleman may undertake, should he so desire, the arbitral mission referred to.

I avail, &c.

S. ALBA.

Enclosure 2 in No. 49.

Sir E. Howard to M. Alba.

Your Excellency, *February* 14, 1923.

I HAVE the honour to acknowledge receipt of your Excellency's note of the 2nd February, with regard to the submission to arbitration of the claims of British subjects and British-protected persons in Morocco, and at the same time to express my best thanks for the interest which your Excellency has been good enough to take in this matter.

I understand from the terms of your Excellency's note that the Spanish Government agree to the submission to M. Lardy or to any international arbitral tribunal jointly selected by our two Governments of all of the claims in question, but that the Government of His Catholic Majesty reserve to themselves the right, and in fact express their intention, of arguing before the arbitrator that claims resulting from military operations or from acts of rebellion or brigandage in the Spanish zone of Morocco are not arbitrable. Should M. Lardy or another arbitrator or court, however, decide that claims of this category are arbitrable, the Spanish Government will allow him to proceed with their examination, and will abide by his decision in respect of these claims, no less than of those of the other two categories, it being understood that His Majesty's Government will likewise accept the verdict of the arbitrator in case this goes against their view that the claims of the category specified above are arbitrable.

I am communicating a translation of your Excellency's note to my Government, and shall not fail to inform you of Lord Curzon's views as to the best method of approaching M. Lardy, with a view to securing his services on behalf of our two Governments.

I avail, &c.

ESME HOWARD.

Enclosure 3 in No. 49.

Draft.

HIS Britannic Majesty's Government and the Government of His Catholic Majesty, being desirous to arrive at a settlement of all claims of British or British-protected subjects against the Spanish authorities for damage to life or property in the Spanish zone of Morocco handed in up to the present date and not yet settled, have agreed to submit such claims to M. for examination and report, with the following conditions:—

1. All claims mentioned in the schedule (A)* annexed hereto shall be submitted for examination and report of M. and his report thereon shall be accepted as an arbitral award by both parties to this agreement.

2. All claims for damages to persons or property resulting from military operations or acts of rebels and bandits as mentioned in schedule (B)* annexed hereto shall also be submitted to M. for examination and report in the same way, it being however understood that it shall be open to His Catholic Majesty's Government to argue that such claims are not of their nature arbitrable, and to require a decision on this point before each actual claim itself is examined and any award delivered with respect to the indemnity to be paid on account of such claim. It should be also understood that, if the arbitrator reports that these claims are not arbitrable, His Britannic Majesty's Government will not further press for their submission to arbitration.

3. Each party to this agreement shall have one representative, who may be a lawyer, to argue the case. This representative may be assisted by as many experts as each party desires to name.

* Not printed.

4. On receipt of the arbitrator's report the Spanish Government will pay to the British Government the total sum of the indemnities awarded to the different claimants by the report.

5. The sum of 1,500*l.* as inclusive emoluments will be paid to M. by the Spanish and British Governments in equal portions. A further sum, to be agreed upon later, will also be paid in equal parts as travelling expenses of the arbitrator.

[**W 1515/241/28**] No. 50.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 108.)

Sir, *Foreign Office, February* 28, 1923.

I HAVE received your Excellency's telegram No. 15 of the 26th instant, concurring in the proposals put forward in my telegram No. 15 for certain amendments to the draft agreement embodying the terms of reference of the arbitration of the British Moroccan claims.

2. I transmit herewith a copy of the draft agreement amended accordingly. As I regard it as essential that the arbitrator should be able, if necessary, to inspect the damaged properties of the claimants and examine native witnesses, I have added a clause providing that the arbitration should take place in Morocco.

3. I also enclose a list of claims which appear in Mr. Atkinson's memorandum of the 31st October, 1921,* but which are not included in the lists forwarded in your despatch No. 93 of the 15th instant. I am unaware for what reason they were omitted, but I consider that, unless you have any objection, they should be included in the schedule to be submitted to the Spanish Government with the draft agreement.

4. I request that, if the Spanish Government concur in the terms of the agreement, you will sign it on behalf of His Majesty's Government. As soon as it has been signed you should inform me by telegraph so that I may instruct His Majesty's Minister at Berne to approach M. Lardy in concert with his Spanish colleague. You should at the same time request the Spanish Government to send similar instructions to their representative at Berne.

I am, &c.
CURZON OF KEDLESTON

Enclosure in No. 50.

Draft Agreement.

HIS Britannic Majesty's Government and the Government of His Catholic Majesty, being desirous to arrive at a settlement of all claims of British subjects or British protected persons against the Spanish authorities for damage to life or property in the Spanish zone of Morocco, handed in up to the present date and not yet settled, have agreed to submit such claims to M. , hereinafter called the arbitrator, for examination and report, with the following conditions :—

1. All claims on the annexed schedule, except those for damage to persons or property resulting from military operations or acts of rebels and bandits, shall be submitted for examination and report of the arbitrator, who shall determine the amount, if any, payable by the Spanish Government to His Majesty's Government in respect of each claim. The arbitrator's report shall be accepted as an arbitral award by both parties to this agreement.

2. The Spanish Government shall furnish His Majesty's Government within one fortnight of the date of the signature of this agreement with a list of those claims on the annexed schedule which they consider result from military operations or acts of rebels or bandits. These claims shall also be submitted to the arbitrator for examination and report, but it shall be understood that it will be open to His Catholic Majesty's Government to argue that such claims are not of their nature arbitrable, and to require a decision on this point before each actual claim itself is examined and any award delivered with respect to the indemnity to be paid on account of such claim. It should be also understood that if the arbitrator reports that these claims are not arbitrable

* Not printed.

His Britannic Majesty's Government will not further press for their submission to arbitration.

3. Each party to this agreement shall have one representative, who may be a lawyer, to state and argue the cases, present documents and examine witnesses. This representative may be assisted by as many experts as each party desires to name.

4. The arbitrator shall sit in Morocco at such times and such places as may be agreed upon by him and the representatives of the two Governments. The proceedings before the arbitrator may be conducted in the Spanish, English or French languages.

On receipt of the arbitrator's report, the Spanish Government will pay to the British Government the total sum of the indemnities awarded to the different claimants by the report.

5. The sum of 1,500*l.* as inclusive emoluments will be paid to the arbitrator by the Spanish and British Governments in equal portions. A further sum, to be agreed upon later, will also be paid in equal parts as travelling expenses of the arbitrator. Any other expenses involved by the arbitration, including the expenses of a secretary if necessary, shall also be defrayed by the Spanish and British Governments in equal parts.

[**W 1343/241/28**] No. 51.

The Marquess Curzon of Kedleston to Mr. Robertson (Tangier).

(No. 87.)

Sir, *Foreign Office, March* 1, 1923.

WITH reference to my despatch No. 556 of the 29th November last, I transmit herewith a copy of a despatch from His Majesty's Ambassador, Madrid,* together with a copy of my reply,† on the subject of the arbitration of the British Moroccan claims.

2. I have instructed Sir E. Howard to include in the schedule to be submitted to the Spanish Government all the claims hitherto drawn up, since I presume that the Spanish authorities have made no satisfactory effort to effect a satisfactory settlement of the minor claims referred in Mr. Codrington's despatch No. 388 of the 2nd October last.

I am, &c.
CURZON OF KEDLESTON.

[**W 1343/241/28**] No. 52.

The Marquess Curzon of Kedleston to Sir M. Cheetham (Berne).

(No. 50.)

Sir, *Foreign Office, March* 1, 1923.

WITH reference to my despatch No. 174 of the 24th May last, I transmit herewith, for your information, a copy of a despatch from Sir E. Howard,* together with a copy of my reply,† on the subject of the arbitration of the British Moroccan claims.

2. You will have observed from Sir E. Howard's despatches Nos. 556 and 589 of the 2nd and 19th August last, in the confidential print, that the Spanish Government have agreed to accept M. Lardy as sole arbitrator of these claims. As soon, therefore, as the draft agreement enclosed in my despatch to Sir E. Howard has been signed it will be necessary for you to approach M. Lardy in concert with your Spanish colleague.

I am, &c.
CURZON OF KEDLESTON.

---

* See No. 49. † See No. 50.

W 3787/241/23] No. 53.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received May* 15.)

(No. 286.)

My Lord, *Madrid, May* 12, 1923.

I HAVE the honour to forward herewith, with reference to my despatch No. 222 of the 14th April, copy and translation of a note I have received from the Spanish Minister for Foreign Affairs, dated the 3rd instant, respecting the submission to arbitration by M. Lardy of the unsettled claims of British and British-protected subjects in the Spanish zone of Morocco. In this note his Excellency concurs in the main with the draft agreement which was forwarded to me in your Lordship's despatch No. 108 of the 28th February last, and which, on your Lordship's instructions, I submitted to him in my note of the 8th March (not the 8th April, as stated in Señor Alba's note enclosed herewith).

Your Lordship will observe, however, that Señor Alba takes exception to the person to whom the claims are to be submitted "for examination and report" being styled "the arbitrator" in your Lordship's draft, and substitutes in his amended draft the name of M. Lardy in each case in place of "the arbitrator." The reason of this is because, as I have already had occasion to report to your Lordship, the Spanish Government object to this "investigation" being regarded as a regular arbitration, which they consider would give the whole matter a greater importance than it deserves.

As His Majesty's Government have already accepted the view of the Spanish Government on this subject, I told Señor Alba, whom I only saw to-day for the first time after his return from Brussels, whither he had accompanied the King of Spain, that I did not think there would be any difficulty in substituting in the agreement the name of M. Lardy, or whoever ultimately undertook the investigation, for the term "arbitrator" wherever it occurs; but, as we did not yet know whether M. Lardy would accept the appointment, we could not insert his name in the agreement, as proposed by the Spanish text. I therefore suggested that we could simply put "M. ," adding a note to say that the name would be inserted later when the person was finally appointed. His Excellency agreed to this suggestion, which I hope will meet with your Lordship's approval.

The other main alterations in the draft agreement proposed by the Spanish Government is the addition of a new article, numbered 3. By this article His Majesty's Government and the Spanish Government bind themselves after the signature of the agreement not to entertain any claims that may be subsequently presented on account of events prior to such signature, or prior to a date three months before it. It is natural that the Spanish Government should seek to limit their responsibilities in regard to claims preceding the agreement, and should not wish after signature to find themselves confronted with a number of new claims alleged to be based on events which occurred prior to the signature. It is unlikely that any *bonâ fide* claims based on events three months prior to the signature of the agreement, but of which we are ignorant at the time of signature, will be presented after signature. I would therefore suggest that we accept the text of article 3 of the Spanish draft, inserting as the date to be fixed that of three months before signature.

In addition to these, the principal alterations proposed by the Spanish Government, there are also certain changes of wording, to some of which I think we may properly take exception, thus:—

1. In the preamble the Spanish text omits the words "handed in up to the present date and not yet settled" after the words "Spanish zone of Morocco." I see no object in omitting these words, which make for clearness, and I do not see why the Spanish Government should wish them omitted. I should therefore, with your approval, propose to press for their retention.

2. In article 1 (both drafts) "acts of rebels or bandits" has been changed by the Spanish text to "risings of Cabiles and acts of bandits." I see no objection to adopting the Spanish phraseology here. On the other hand, I prefer the concluding words of the same sentence in the English text: "who shall determine the amount, if any, payable by the Spanish Government to His Majesty's Government in respect of each claim," to the wording of the Spanish text, which seems a very loose translation, and runs: "who shall determine the sum payable by the Spanish Government to His Majesty's Government in every case in which he may deem this in conformity with law" (Spanish word "procedente").

3. In article 2 the Spanish text omits the words "of the date of the signature of this agreement" after the words "within one fortnight." These should evidently stand. Later in the same sentence the Spanish text again substitutes "risings of Cabiles" for "acts of rebels."

The penultimate sentence of this article has been completely remodelled. For purposes of comparison I will place the two side by side:—

British Text.	*Spanish Text.*
"These claims should also be submitted to M. for examination and report, but it shall be understood that it will be open to His Catholic Majesty's Government to argue that such claims are not of their nature arbitrable, and to require a decision on this point before each actual claim itself is examined and any award delivered with respect to the indemnity to be paid on account of such claim."	"In respect of these claims M. is to decide in the first place whether or not their settlement can be submitted to the jurisdiction of an arbitrator. His Catholic Majesty's Government will maintain before M. that in view of the character and nature of such claims they cannot be submitted to any arbitrator or court of arbitration for investigation and award. If M. , contrary to this view, considers that the nature of such claims renders them liable to examination and award by an arbitrator or arbitral tribunal, he will proceed forthwith to examine and report upon them."

The meaning of these two texts seems to me substantially the same, and, unless your Lordship sees any objection, I would suggest that, in order not to prolong negotiations, we might accept the Spanish text, although it is not so concise as the English one.

4. Article 3 of the Spanish draft is the one above referred to as being altogether new, and aiming at preventing the possibility of further claims being entertained which arose out of events which occurred before a date three months prior to the signature of the agreement.

5. Article 3 in the English draft and 4 in the Spanish are identical.

6. Article 4 in the English and 5 in the Spanish are identical.

7. Article 5 (English draft) and 6 (Spanish draft). The English text in the third sentence says: "Any other expenses involved in the arbitration," and the Spanish Government have, probably by an oversight which they will wish to correct, translated this textually, in spite of their objection to the words "arbitrator" and "arbitration." I would suggest that we should alter the words "involved by the arbitration" to "incurred with reference to this examination and report" as being at once more precise and more in conformity with Spanish wishes.

I should be grateful if your Lordship would telegraph to me your wishes in regard to the suggested modifications in the text so that I may, if possible, discuss them with the Minister for Foreign Affairs at once and try to sign the agreement before my departure on leave, subject to your Lordship's approval, on the 30th instant.

Finally, during my interview with the Minister for Foreign Affairs to-day I reminded him of my conversation with him on the 20th March respecting two land claims of Cid-el-Menedi-el-Menebbi (see your despatch No. 133 of the 16th March) and of a memorandum on the subject which, in accordance with his request, I had sent him on the 25th March, respecting which I had not yet received any reply. I said these claims had not been included in the list of those for submission to M. Lardy, but I presumed that if His Majesty's Government wished them to be so included he would not object. He said there would be no objection. I should be glad to know if your Lordship wishes them included.

Señor Alba promised to telegraph to the High Commissioner in Morocco, to whom the matter had been referred for an early reply.

I have, &c.

ESME HOWARD.

Enclosure 1 in No. 53.

Spanish Minister for Foreign Affairs to Sir E. Howard.

(Translation.)

Ministry of State, Madrid, May 3, 1923.

Sir,

THIS Ministry received in due course your Excellency's note of the 8th April last forwarding a draft agreement between His Majesty's and His Britannic Majesty's Governments destined to determine the procedure in accordance with which are to be submitted to M. Lardy the claims pending between the two countries in respect of personal or real damage done to British subjects or protected persons in the zone of the Spanish protectorate in Morocco.

His Majesty's Government concur with the agreement in the form in which your Excellency has been so kind as to submit it; nevertheless I take the liberty of suggesting, for the friendly consideration of your Excellency and your Government, certain small detailed modifications which it might be advisable to introduce.

The fact that M. Lardy should be officially styled arbitrator (see the end of preamble in draft submitted by your Excellency) does not seem to be in entire conformity with the proposal of His Majesty's Government in regard to this matter. I take the liberty to remind your Excellency in this connection of the Ministry of State's note of the 16th October, 1922, in which it was stated that M. Lardy will not be required to function officially as arbitrator in the matter of the claims submitted to him, but only to examine and report upon them. On these grounds it would be possible to suppress the phrases in which M. Lardy is actually styled arbitrator in the draft, this without prejudice, naturally, to its being clearly specified that the report of M. Lardy in regard to each particular claim shall be regarded by both parties as an arbitral award.

Similarly, it appears advisable to add a paragraph assigning a definite time-limit for the admission on the part of Spain of British claims referring to Morocco based on events alleged to have taken place prior to the agreement; that is to say, once His Britannic Majesty's Embassy, in your Excellency's worthy charge, and the Ministry of State have finally approved the contents of the schedule of claims which is to accompany the agreement as an annex, no analogous claims will be admitted subsequently other than those based on events which took place subsequent to the signature of the agreement or in the space of three months immediately preceding the same.

Taking these observations into account and with but one other slight modification in the form which does not appear to require special explanation, this Department, without departing from the spirit of the draft submitted on behalf of His Britannic Majesty's Government, has recast that draft in the form submitted herewith, which might serve as a base for a definite arrangement.

Enclosure 2 in No. 53.

Draft Agreement.

HIS Catholic Majesty's and His Britannic Majesty's Governments, being desirous of arriving at a settlement of the claims of British subjects or protected persons against the Spanish authorities still outstanding between the two Cabinets for damage done to life or property, have agreed to submit such claims to the examination and verdict of M. Lardy, subject to the following conditions:—

1. All claims on the annexed schedule except those arising from damage done to persons or property as the result of military operations or risings of the Cabiles and acts of bandits shall be submitted for examination and report to M. Lardy, who shall determine the sum payable by the Spanish Government to His Britannic Majesty's Government in any case where he may judge such procedure indicated. M. Lardy's report shall be accepted as an arbitral award by both parties to this agreement.

2. The Spanish Government shall furnish the British Government within one fortnight with a list of all claims on the schedule annexed to this convention which they consider as arising from military operations, risings of the Cabiles or acts of bandits. In respect of these claims M. Lardy is to decide in the first place whether or no they can be submitted to an arbitrator. His Catholic Majesty's Government will argue before M. Lardy that in view of the character and basis of such claims they are not of a nature to be submitted to an arbitrator or arbitral tribunal for their

consideration or verdict. If M. Lardy, notwithstanding these arguments, is of the opinion that the nature of the claims in question is such as to render them susceptible of being pronounced upon by an arbitrator or arbitral tribunal, he will then proceed to examine and report upon them. If, on the other hand, he decides that they are not arbitrable, the British Government will not insist further upon their being submitted to arbitration.

3. Once both parties have signed the present agreement and approved the list of claims to be submitted for examination to M. Lardy, His Majesty's Government and that of the Spanish zone of Morocco will not admit any further claims based on analogous events and put forward by British subjects or protected persons, except claims based on events which occurred subsequent to (here insert date preceding that of the agreement by three months, or the date of the agreement itself as His Britannic Majesty's Government may decide).

4. Each party to the agreement shall have one representative, who may be a lawyer, to state and argue the cases before M. Lardy, present documents and examine witnesses. This representative may be assisted by as many experts as either party desires to name.

5. M. Lardy shall sit in Morocco at such times and places as may be agreed upon by him and the representatives of the two Governments. The proceedings before M. Lardy may be held in the Spanish, English or French language. On receipt of M. Lardy's report the Spanish Government will pay to the British Government the total sum of the indemnities which M. Lardy may eventually judge to be the proper award to each of the several claimants.

6. The sum of 1,500*l.* as inclusive emoluments will be paid by the Spanish and British Governments in equal proportion. A further sum to be agreed upon later will also be paid in equal parts as travelling expenses. Any other expenses entailed by the arbitration, including the expenses of a secretary, if necessary, shall also be defrayed by the Spanish and British Governments in equal parts.

[**W 3787/241/28**] No. 54.

The Marquess Curzon of Kedleston to Sir E. Howard (Madrid).

(No. 27.)

(Telegraphic.) R. *Foreign Office, May* 17, 1923.

YOUR despatch No. 286.

I agree to elimination of the word "arbitrator" and to article 3 of Spanish draft, with time-limit three months before date of signature.

I prefer to keep words omitted in preamble of Spanish text, but if Spanish Government feel strongly I agree to omit them.

I accept phrase "rising of Cabiles."

I dislike Spanish version of article 1 and do not understand exact meaning of "procedente," which you translate differently in despatch and in enclosure. We must insist either on literal translation of British draft or on something absolutely clear in Spanish which M. Lardy and anyone else will understand. Exact wording I leave to your discretion.

I much prefer British text of penultimate sentence of article 2. Please endeavour to secure closer approximation thereto in Spanish text, but if Spanish Government insist you may accept their version.

I agree to your proposed modification of article 5 British draft.

Please add Menebbi's claims.

I have agreed to above modifications in the hope of speedy signature, which I trust will now not be long delayed. Please telegraph actual date of signature to enable me to approach M. Lardy without delay.

[**W 4147/241/28**] No. 55.

Sir E. Howard to the Marquess Curzon of Kedleston.—(*Received May* 30.)

(No. 41.)

(Telegraphic.) R. *Madrid, May* 29, 1923.

YOUR telegram No. 31.

Notes exchanged to-day.

[W 4147/241/28] No. 56.

The Marquess Curzon of Kedleston to Mr. Gurney (Madrid).

(No. 33.)
(Telegraphic.) R. *Foreign Office, May* 30, 1923.

YOUR telegram No. 41 of 29th May.

I am instructing His Majesty's Minister at Berne by telegraph to approach M. Lardy. Please request Spanish Government to send similar instructions at once.

[W 4147/241/28] No. 57.

The Marquess Curzon of Kedleston to Sir M. Cheetham (Berne).

(No. 16.)
(Telegraphic.) R. *Foreign Office, May* 30, 1923.

MY despatch No. 50 of 1st March.

Agreement with Spanish Government has been reached. Please approach M. Lardy in concert with your Spanish colleague and invite him to act as arbitrator.

[W 4281/241/28] No. 58.

Sir E. Howard to the Marquess Curzon of Kedleston.—(Received June 2.)

(No. 329.)
My Lord, *Madrid, May* 29, 1923.

WITH reference to my despatch No. 323 of the 26th instant I have the honour to transmit herewith the notes which I have to-day exchanged with the Minister of State providing for the examination of the outstanding claims of British subjects and protected persons for damage sustained by them in the Spanish zone of Morocco. I also enclose literal translations of the note from the Minister of State, and of the Spanish text of the agreement annexed thereto .

As instructed by your Lordship's telegram No. 27 of the 17th instant, I approached the Minister of State with a view to the inclusion in the schedule attached to the agreement of the claims of Sid-el-Menehbi. From Señor Alba's reply, copy and translation of which I enclose herein, it will, however, be seen that his Excellency is averse to the proposal, representing that the claims do not enter into any of the categories of those already included in the schedule, and that they would be more appropriately dealt with by the Shraa courts. He adds that he had sent urgent instructions for the submission of the two cases to these courts without delay.

In view of the considerations advanced by Señor Alba, I have not further pressed the matter, as there seems to me to be some justice in his contention and also because I conceive that it would not be in accordance with your Lordship's wishes that the conclusion of the agreement should be further delayed on account of these claims, the omission of which from the schedule will, in view of the contents of Señor Alba's note, not prejudice their future consideration.

Further, I consider the position of the present Cabinet to be precarious, and should it fall within the next few days, leaving the agreement unsigned, it would be necessary to take up the question afresh with the new Minister for Foreign Affairs, and enter once more upon interminable negotiations.

I have, &c.
ESME HOWARD.

Enclosure 1 in No. 58.

Spanish Minister of State to Sir E. Howard.

(Translation.)
Your Excellency, *Madrid, May* 29, 1923.

WITH reference to our conversations on the subject, I have the honour to inform your Excellency that the Government of His Catholic Majesty, being as desirous as that of His Britannic Majesty to settle definitely the outstanding claims brought against the Spanish authorities for damages caused in Morocco to British subjects and protected persons, accept, in order to reach a solution of the question, the terms embodied in the annexed agreement.

If, as I presume to be the case, His Britannic Majesty's Government are in complete accord with these terms, I will consider the agreement in question to be concluded by the present note and the similar one which your Excellency will be so good as to address to me, and I will at once instruct His Majesty's diplomatic representative at Berne to approach, in concert with his British colleague, the person to whom we have confidentially agreed to refer the matter.

I avail, &c.
S. ALBA.

Agreement.

(Translation.)

The Government of His Catholic Majesty and that of His Britannic Majesty, being desirous to arrive at a settlement of all claims presented to the Spanish authorities in regard to which an agreement has not been reached up to the present date between the two Cabinets, and which refer to damages to life and property caused in Morocco of British subjects and protected persons, have agreed to submit such claims for the examination and report of M. , subject to the following conditions :—

1. All claims on the annexed schedule, except those arising from damage caused to persons or property by military operations, risings of the Cabiles or acts of brigandage, shall be submitted for the examination and report of M. , who shall determine the sum, if any, payable by the Spanish Government to His Britannic Majesty's Government as a result of each claim. M. 's report shall be accepted as an arbitral award by both parties signatory of this agreement.

2. The Spanish Government shall furnish His Britannic Majesty's Government, within one fortnight of the date of this agreement, with a list of those claims included in the schedule annexed to this agreement, which are considered as resulting from military operations, risings of the Cabiles or acts of brigandage, these claims shall also be submitted to M. for examination and report, but it shall be understood that His Catholic Majesty's Government reserve the right to argue that such claims are not of their nature susceptible of being submitted to arbitration, and to require decision on this point before each claim is examined and any award is delivered with respect to the indemnity, if any, to be paid. It is also to be understood that, if M. decides that such claims are not arbitral, His Britannic Majesty's Government will not further press for their submission to this precedure.

3. Once both parties have signed the present agreement and approved the list of claims to be submitted for examination to M. , His Catholic Majesty's Government and that of the Spanish zone of Morocco will not admit further claims put forward by British subjects or protected persons, and based on analogous events except such as be founded on events subsequent to the 28th February, 1923.

4. Each of the parties signatory to this agreement shall have one representative, who may be a lawyer, and whose duty it shall be to state and argue each case before M. , and also to present documents and examine witnesses. This representative may be assisted by as many experts as each party may desire to name.

5. M. shall sit in Morocco at such times and such places as may be agreed upon by him and the representatives of the two Governments. The proceeding before M. may be in Spanish, English or French. On receipt of M. 's report the Spanish Government will pay to the British Government the total sum of such indemnities as M. may consider ought to be paid to each claimant.

6. The sum of 1,500*l*., as inclusive emoluments, will be paid to M. by the Spanish and British Governments in equal proportions. A further sum to be agreed upon later will also be paid to M. in equal parts as travelling expenses. Other joint expenses, if any, incurred as a result of this agreement, including those of a secretary, if necessary, will also be defrayed by the British and Spanish Governments in equal parts.

Madrid, May 29, 1923.

Enclosure 2 in No. 58.

Sir E. Howard to the Minister of State.

Madrid, May 29, 1923.

Your Excellency,

I HAVE the honour to acknowledge the receipt of your Excellency's note of to-day's date in which you are so good as to inform me that the Spanish Government, being as desirous as His Britannic Majesty's Government to arrive at a definite settlement of the outstanding claims of British subjects and protected persons against the Spanish authorities for damages caused to them in Morocco, accept the terms of the annexed agreement with a view to reaching a solution on the question.

His Britannic Majesty's Government, who entirely concur in these terms, will regard the agreement in question as being formally concluded by the present note, and that which I have had the honour to receive from your Excellency, and they will at once instruct the British representative at Berne to approach, in concert with his Spanish colleague, the person to whom we have confidentially agreed to refer the matter.

I avail, &c.
ESME HOWARD.

Agreement.

His Britannic Majesty's Government and the Government of His Catholic Majesty, being desirous to arrive at a settlement of all claims of British subjects or British-protected persons against the Spanish authorities for damage to life or property in the Spanish zone of Morocco handed in up to the present date and not yet settled, have agreed to submit such claims to Mr. for examination and report, with the following conditions:—

1. All claims on the annexed schedule, except those for damage to persons or property resulting from military operations, risings of the Cabiles or acts of bandits, shall be submitted for examination and report to Mr. , who shall determine the amount, if any, payable by the Spanish Government to His Britannic Majesty's Government in respect of each claim. Mr. 's report shall be accepted as an arbitral award by both parties to this agreement.

2. The Spanish Government shall furnish His Britannic Majesty's Government, within one fortnight of the date of this agreement, with a list of those claims on the annexed schedule which they consider result from military operations, risings of the Cabiles or acts of bandits. These claims shall also be submitted to Mr. for examination and report, but it shall be understood that it will be open to His Catholic Majesty's Government to argue that such claims are not of their nature arbitrable, and to require a decision on this point before each actual claim itself is examined and any award delivered with respect to the indemnity, if any, to be paid on account of such claim. It should also be understood that if Mr. reports that these claims are not arbitrable, His Britannic Majesty's Government will not further press for their submission to arbitration.

3. Once both parties have signed the present agreement and approved the list of claims to be submitted for examination to Mr. , His Catholic Majesty's Government and that of the Spanish zone in Morocco will not admit any further claims based on analogous events and put forward by British subjects or protected persons, except claims based on events which occurred subsequent to the 28th February, 1923.

4. Each party to this agreement shall have one representative, who may be a lawyer, to state and argue the cases before Mr. , present documents and examine witnesses. This representative may be assisted by as many experts as each party desires to name.

5. Mr. shall sit in Morocco at such times and such places as may be agreed upon by him and the representatives of the two Governments. The proceedings before Mr may be conducted in the Spanish, English or French languages.

On receipt of Mr. 's report the Spanish Government will pay to the British Government the total sum of the indemnities, if any, awarded to the different claimants by the report.

6. The sum of 1,500*l.*, as inclusive emoluments, will be paid to Mr. by the Spanish and British Governments in equal portions. A further sum, to be agreed upon later, will also be paid in equal parts as travelling expenses of Mr. . Other joint expenses, if any, incurred as a result of this agreement, including the expenses of a secretary, if necessary, shall also be defrayed by the Spanish and British Governments in equal parts.

Madrid, May 29, 1923.

Enclosure 3 in No. 58.

Schedule of Claims of British Subjects and British Protected Persons against the Authorities of the Spanish Protectorate in Morocco, Annexed to the Agreement of May 29, 1923.

NAME OF CLAIMANT AND NATURE OF CLAIM.

1. Si Abd-el-Kader Er Rzini
   Compensation for houses, hedges, fruit trees and crops destroyed, and cattle looted in the vicinity of Tetuan, during and arising from the rebellion of the tribes in the year 1913, and for crops which the claimant was unable to collect owing to the insecurity prevailing in the district, and interest.
2. Si Allal-el-Khatib.
   Compensation for houses, hedges, fruit trees and crops destroyed in the vicinity of Tetuan during and arising from the rebellion of the tribes in 1913, and for crops which the claimant was unable to collect owing to the insecurity in the district, and interest.
3. Messrs. Isaac and David Cohen.
   Compensation for houses, hedges, fruit trees and crops destroyed, and cattle looted in the vicinity of Tetuan, during and arising from the rebellion of the tribes in 1913, and for crops which the claimants were unable to collect owing to the insecurity prevailing in the district, and interest.
4. Abraham Bengualid.
   Compensation for cattle, goats, &c. (fifty-nine head in all), stolen in the vicinity of Tetuan during the rebellion of the tribes in 1913, and for natural increment thereof, and interest.
5. Si Abd-el-Kader Er Rzini.
   Compensation for destruction of garden known as Cherzats-el-Merra, and for loss of crops since 1913, interest, and acquisition by purchase without further delay.
6. Si Abd-el-Kader Er Rzini.
   Rent since 1913 of Ras-el-Karawer property, interest on rent, and regular acquisition by purchase without further delay.
7. Si Abd-el-Kader Er Rzini.
   Rent since 1913 of land taken for construction of road and railway from Tetuan to Rio Martin, interest on rent, and regular acquisition by purchase without further delay.
8. Si Abd-el-Kader Er Rzini.
   Rent since 1916 of land seized for construction of Tetuan terminus of Tetuan–Ceuta Railway, interest on rent, and purchase without further delay.
9. Si Abd-el-Kader Er Rzini.
   Rent since 1916 of land seized for construction of Tetuan–Ceuta Railway, interest on rent, and purchase without further delay.
10. Si Abd-el-Kader Er Rzini.
    Rent since 1916 of land seized for construction of Tetuan–Ceuta road, compensation for building materials removed, interest, and purchase of land without further delay.
11. Si Allal-el-Khatib.
    Rent since 1916 of land seized at Bouzaghlal for construction of Tetuan–Ceuta Railway and of Rincon station and roads, compensation for stone, &c., removed from land, interest, and purchase without further delay.

NAME OF CLAIMANT AND NATURE OF CLAIM.

12. Si Allal-el-Khatib.
Rent since 1913 of land seized for construction of Sania d'Rimel station (Tetuan–Rio Martin Railway), interest, and purchase without further delay.

13. Si Allal-el-Khatib.
Rent since 1917 of spring and land at Merra seized by military authorities, compensation for loss of water, interest, and purchase without further delay.

14. Messrs. Isaac and David Cohen.
Purchase without further delay of land seized for construction of Tetuan–Ceuta Railway and railway esplanade, and interest.

15. Mr. Lewis Forde.
Purchase without further delay of land seized for construction of Larache–Alcazar Railway and of land rendered useless thereby, and interest.

16. Si Abd-el-Kader Er Rzini.
Rent since 1913 of Berka-ben-Karrish property, interest on rent, and purchase without further delay.

17. Si Abd-el-Kader Er Rzini.
Rent since 1913 of property seized for an aviation ground, interest on rent, and purchase without further delay.

18. Si Abd-el-Kader Er Rzini.
Rent since 1914 of Ras Akiba-el-Merra property, interest on rent, and purchase without further delay.

19. Si Abd-el-Kader Er Rzini.
Rent since 1913 of part of Jenan-del-Hammam property, interest on rent, and purchase of whole property without further delay.

20. Si Abd-el-Kader Er Rzini.
Rent since 1915 of Aghattas-el-Kebir and Aghattas-es-Segheer properties, interest on rent, and purchase without further delay.

21. Antonio Holliday (deceased).
Purchase without further delay of land seized in 1913 near River Helu, and interest.

22. Antonio Holliday (deceased).
Purchase without further delay of Hagueri property, compensation for loss of crops, and interest.

23. Si Abd-el-Kader Er Rzini.
Compensation for cattle and horse stolen from Rio Martin in June 1917, and for natural increment thereof.

24. Messrs. Isaac and David Cohen.
Compensation for cattle and horse stolen from Rio Martin in June 1917, and for natural increment thereof.

25. Si Abd-el-Kader Er Rzini.
Compensation for natural increment of cattle and sheep stolen in 1913.

26. Si Abd-el-Kader Er Rzini.
Compensation for cattle, horses, poultry, grain, kif and charcoal stolen in 1919 from Bouzaghlal, and for natural increment of animals.

27. Si Abd-el-Kader Er Rzini.
Compensation for ploughing-oxen stolen in 1920 from Bouzaghlal, and interest.

28. Haj Muhammad Wuld-el-Haj Abdeselam Souani.
Compensation for horses stolen in 1913, and interest.

29. Taher-ben-Abdeselem Souani.
Compensation for two mares stolen, and interest.

30. Haj Moukhtar Souani.
Compensation for two mares stolen, and interest.

31. Abdallah-el-Amarti.
Compensation for horses and cattle stolen, and interest.

32. I. A. Abensur.
Compensation for cattle stolen, and interest.

NAME OF CLAIMANT AND NATURE OF CLAIM.

33. E. P. Carleton (deceased).
Compensation for cattle and sheep, and interest.

34. Si Abdeselam-ben-Abdallah Shtibat.
Compensation for cattle stolen, and interest.

35. Gillali Bennis.
Compensation for mules stolen, and interest.

36. J. Benchiton.
Compensation for oxen and cows stolen, and interest.

37. Mr. G. F. Moore.
Compensation for horse and saddlery stolen, refund of expenses of hiring substitute, and interest.

38. Mr. J. Brooks.
Compensation for mules stolen, and interest.

39. Si-el-Haj-el-Mehdi-el-Menebhi.
Compensation for cattle stolen, and interest.

40. Si Abd-el-Kader Er Rzini.
Compensation for crops burnt in 1918 by ashes thrown from Spanish military railway, and interest.

41. Si Abd-el-Kader Er Rzini.
Compensation for fruit crops stolen and property destroyed in Kitsan Valley in March 1919, and for loss of rents owing to insecurity prevailing there, and interest.

42. Si Abd-el-Kader Er Rzini.
Compensation for trees and crops burned at the Aidwa, and for Mulato and Nish-shar gardens destroyed in 1919, and interest.

43. Si Abd-el-Kader Er Rzini.
Compensation for theft of fruit from gardens in Kitsan Valley in 1919–20, and interest.

44. Si Abd-el-Kader Er Rzini.
Compensation for loss of crops from Dar-ben-Karrish property since 1918, and interest.

45. Si Allal-el-Khatib.
Compensation for fruit garden at the Aidwa destroyed by fire in 1919.

46. Antonio Holliday (deceased).
Compensation for loss of crops on and damages caused to Kudia Sur or Kudia Azul property, and interest.

47. Si Allal-el-Khatib.
Compensation for loss of crops on Wad Aghdats property since 1918 owing to prevailing insecurity.

48. Si Allal-el-Khatib.
Rent of Sidi-bou-Hajil or Kitsan position, 1914–20, and interest, removal of ruins of buildings illegally erected thereon.

49. Si Allal-el-Khatib.
Compensation for seizure of springs at Beniunex, and interest.

50. J. J. Cohen.
Compensation for consignment of nails stolen, and interest.

51. His Britannic Majesty's Government.
Compensation for destruction of British consular office and residence near Rio Martin.

52. Messrs. Levy and Co.
Compensation for losses suffered in the neighbourhood of Melilla during the events of July 1921, and interest.

53. Mohamed Ziat.
Compensation for losses of goods, &c., and for debts now unrecoverable owing to destruction of account books in the course of a riot at Melilla on the 30th November, 1921.

Enclosure 4 in No. 58.

Minister of State to Sir E. Howard.

(Translation.)

Your Excellency,— *Madrid, May* 27, 1923.

WITH reference to the memorandum presented by His Britannic Majesty's Embassy and dated the 26th March, and the exchange of views which we have recently had regarding the claims awaiting settlement, and especially regarding those which concern the British-protected person Sid-el-Mehedi Menebhi, I have the honour to inform your Excellency that, in spite of the keen desire which I think I have proved to your Excellency in connection with this matter to be agreeable to your Excellency and to the Cabinet in London in every possible way, I do not see my way to agreeing that the two questions of real property connected with the above-mentioned Menebhi be included in the number of those the examination of, and report upon, which is to be entrusted in the near future to a jurist selected for this particular purpose.

I feel sure that once your Excellency has been good enough to consider the essential difference which exists between the claims of Menebhi and the others I have just referred to, you will share the view of His Catholic Majesty's Government, and will realise that the jurisdiction of the Shraa is the most suitable one to decide the contentions of Sid-el-Mehedi, as indeed His Britannic Majesty's Embassy recognised in the memorandum of the 26th March referred to above. The claims which are to be studied by the jurist in question can in fact be divided into two groups, the first of these referring to the solution of various cases of forcible expropriation, in which the Administration of the zone of the protectorate did not grant the equivalent indemnity at the time in accordance with the usual administrative procedure. That is to say, that in claims figuring in this group, without prejudice to the fact that the claimant is called upon to prove his title as a preliminary step, the point at issue is not this title, but the amount of indemnity to be granted.

The claims which figure in the second group, namely, those regarding damage alleged to have been caused in consequence of the rising of the Cabiles, acts of repression of same, of brigandage, &c., are of a still more special character and will not be submitted, as your Excellency is aware, to the examination of the jurist in question except under certain conditions.

The Government of His Catholic Majesty does not consider it fitting to include in either of these groups questions such as those which, in regard to Sid-el-Mehedi Menebhi, are described in the oft-quoted memorandum of your Excellency's Embassy dated the 26th March. The said questions are, as a matter of fact, two typical cases of disputes as to real property with regard to which the only valid jurisdiction is that of the Shraa Tribunal, with appeal to His Imperial Highness the Kalifa in accordance with the provision of article 11 of the Madrid Convention of 1880, and article 24 of the Franco-Spanish Convention of 1912.

His Majesty's Government being convinced, as your Excellency's Embassy frankly states, that His Britannic Majesty's Government has not the least intention of prejudging the facts of this case, but merely the justifiable and logical desire of seeing it settled in accordance with justice as soon as possible, I am to-day sending the most categorical instructions to the Tetuan authorities that they should cause the two real property disputes in question to be brought before the Shraa, removing all obstacles which may prevent the immediate opening of the necessary judicial proceedings before the kadi.

I avail, &c.

S. ALBA.

CHAPTER IV.—CONSUMPTION DUTIES.

[W 2978/193/28] No. 59.

Memorandum on Consumption Duties in Morocco.

French Zone.

THE imposition of consumption duties in the French zone of Morocco is in effect an expedient devised by the French to circumvent the limitation of customs duties by commercial treaties and the Act of Algeciras. As far as Great Britain is concerned, article 7 of the Commercial Convention of 1856 provides that customs duties on all articles imported into Morocco may not exceed 10 per cent. in cash on their value. Under article 66 of the Act of Algeciras a supplementary duty of 2½ per cent. is authorised, making 12½ per cent. in all. With very few exceptions, goods imported into Morocco are already liable to the full customs duty of 12½ per cent. *ad valorem*, and the only means open to the French of imposing further duties is through consumption taxes.

The first consumption duties were imposed in 1915 on sugar and alcohol. Since that date both the number of articles liable to consumption duties and the amount of the duties have been largely increased; thus the duty on sugar, which has been subjected to four successive increases, has risen from 10 fr. to 65 fr. per 100 kilog.

The following is a list of the various consumption duties at present in force in the French zone, together with the dahirs which imposed them:—

1. Dahir of August 25, 1919.

Cocoa	50– 70 fr.	per 100 kilog.
Chocolate	25– 50 „	„
Spices	100–150 „	„
Vanilla	250 „	„

2. Dahir of March 6, 1920.

Alcohol	1,000 „	hectolitre.

3. Dahir of July 5, 1921.

Candles	40 „	100 kilog.

4. Dahir of January 11, 1922.

Explosives	A varying tax on different explosives, as set forth in an "arrêté viziriel."

5. "Arrêté viziriel" of January 21, 1922.

Beer	4 fr. per degré-hectolitre de moût.

6. Dahir of June 8, 1922.

Saccharine and sugar substances	500 fr. per kilog.

7. Dahir of January 8, 1923.

Sugar	65 „	100 kilog.

8. Dahir of January 8, 1923.

Tea	175 „	„
Coffee	70–90 „	„
Chicory	40 „	„
Pepper	200 „	„

In 1919 the French Government invited His Majesty's Government to apply to British subjects various consumption duties then in force. His Majesty's Government refused to do so on the ground that the dahirs had been issued without their previous consent and amounted in fact to an illegal increase in the existing customs duties. Moreover, the general attitude of the French in Morocco was not such as to encourage anything in the nature of a gratuitous concession by Great Britain. An exception was made, however, in the case of the duty on alcohol, since the Egyptian Government had imposed a similar duty in Egypt; a King's Regulation was issued in 1921 making this tax applicable to British subjects.

In 1922 His Majesty's Government modified their attitude. The French authorities displayed a tendency to mend their ways and to abandon the practice of

imposing duties without previously consulting His Majesty's Government. Experience also showed that in practice British subjects were compelled in any event to pay the duty, and that consequently refusal to make the taxes applicable to British subjects served no other purpose than to irritate the French authorities. In the circumstances it was decided to make a virtue of necessity and adopt the general policy of applying consumption duties when asked to do so by the French, provided that the latter gave us due notice of their imposition and that the taxes involved no discrimination against British trade.

Accordingly in 1922 and 1923 all existing consumption duties which had hitherto not been made applicable to British subjects, and which the French authorities requested His Majesty's Government to apply, were applied by King's Regulation. The following are the orders under which the dahirs quoted above were applied to British subjects:—

1 and 8. The duty on "Colonial produce" (French zone). Regulation of the 10th February, 1923.
2. The duty on alcohol (French zone). Amendment Regulation of the 11th July, 1921.
3. The duty on candles (French zone). Regulation of the 20th March, 1922.
5. The duty on beer (French zone). Regulation of the 22nd January, 1922.
6 and 7. The duty on sugar, goods containing sugar, saccharine and similar substances (French zone). Regulation of the 10th February, 1923.

The duty on explosives was not made applicable to British subjects, since the French authorities have never requested His Majesty's Government to apply the dahir imposing it.

Spanish Zone.

The Spanish Administration, dilatory and behind the times as usual, allowed some years to elapse before they began to extend to the Spanish zone the ingenious French system of illegally increasing the customs receipts by means of consumption taxes.

On the 27th February, 1922, a dahir was issued enforcing the following consumption duties in the Spanish zone:—

Sugars of all classes	...	...	10 pesetas	per 100 kilog.
Raw coffee ...	...	...	20 "	"
Roasted or ground coffee	...	...	25 "	"
Green tea...	...	..	... 50 "	"
Black tea ...	...	...	... 60 "	"

It was not till the 1st November, 1922, however, that the Spanish Ambassador in London approached His Majesty's Government with a request that these duties should be made applicable to British subjects.

Meanwhile the local Spanish authorities were endeavouring forcibly to levy the duties from British subjects and protected persons without the sanction of a King's Regulation. A reply was therefore returned to the Spanish Ambassador setting forth a strong protest against these illegal practices. At the same time His Majesty's Government declared their willingness to issue a King's Regulation, with effect from the date of issue, so soon as they learnt that the goods illegally detained by the Spanish authorities had been released unconditionally and the duties paid had been refunded.

Tangier Zone.

No consumption duties of any kind are in force in the Tangier zone.

Foreign Office, April 19, 1923.

---

o